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Great Britain. Parliament. House of commons

Commons Debates 1621

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VOLUME ONE

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In our search through England there have been more manuscripts than parliamentary to find out and decipher, old roads through the woods, old mounds and ditches and walls, records set down in the stone of farmhouses and parish churches, tracings left on meadows and slopes. No part of the land but bestows its special grace, its connections with deed and custom and change, its occasion for poetry. It is not any common earth, but Merlin's Isle of Gramarye.

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TO the last Earl of Winchilsea, the thirteenth Earl, we owe the manuscript of the House of Commons in 1621, which we have identified as that of John Pym. The Earl of Winchilsea gave us permission to photograph and publish not only that manuscript but a similar one for 1624. The Duke of Manchester granted our request to be allowed to search in Kimbolton Castle for the diaries for 1614, 1621 and 1626 which the Historical Manuscripts Commission had described briefly. When we found the diaries and identified them as the notes of Sir Nathaniel Rich, the Duke of Manchester gave us leave to publish them. To Sir Fitzroy Calthorpe and Lady Anstruther-Gough-Calthorpe at Elvetham we are under obligations for the diary of the 1614 parliament as well as for others not yet published. To Lord Sackville we are indebted for the right to search in the Cranfield MSS. from which we have gleaned many a footnote. To the Librarian of the House of Lords, Charles T. Clay, and to the Clerk of Public Bills, F. W. Lascelles, we acknowledge many kindnesses; they allowed us to go through the piles of manuscripts in Victoria Tower and to print both the Book of Committees and many bills of the 1621 parliament. Nor would we forget the constant helpfulness of G. F. M. Campion, Clerk Assistant of the House of Commons, and of Louis Abraham, Senior Clerk. To the Bodley

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We acknowledge with appreciation favors by Worthington Ford and Miss R. A. Fisher, and the assistance of Miss Harriet Spencer. We are grateful to Mrs. William Sale whose highly intelligent help is evident in the index.

New Haven, June 21, 1935.

ABBREVIATIONS

A.P.C.	*Acts of the Privy Council of England.* (Unless otherwise indicated references are to printed volumes for the reign of James I. The volume for 1613–1614 has been cited as volume 1 and so on, consecutively.)
Add.	Additional Manuscripts, British Museum.
Anderson, *Rep.*	*Les reports du treserudite Edmund Anderson*, London, 1664.
B	Rawlinson B 151, selection from the collections of Robert Horn, printed in vol. 6 of this work.
B. of C.	Book of Committees, printed in vol. 6 of this work.
B. of O.	Book of Orders, printed in vol. 6 of this work.
Barr.	Notes by Sir Thomas Barrington of the House of Commons in 1621, printed in vol. 3 of this work.
Bel.	The Belasyse diary, printed in vol. 5 of this work.
Book of Bounty	Proclamation, 1610; abstract printed in App. B, Part 2.
Brooke, *Abr.*	Sir Robert Brooke, *La graunde abridgement*, London, 1573.
Bulstrode, *Rep.*	*The reports of Edward Bulstrode*, London, 1688.
C. 2	Chancery proceedings, Public Record Office.
C. 3	Chancery proceedings, series II.
C. 54	Close Rolls, Public Record Office.
C.J.	*Journals of the House of Commons*, vol. 1, 1547–1628.
C. & T.	*The court and times of James the First*, London, 1848.
Cal. Close Rolls	*Calendar of the Close Rolls preserved in the Public Record Office.*
Cal. Fine Rolls	*Calendar of the Fine Rolls preserved in the Public Record Office.*
Cal. Pat. Rolls	*Calendar of the Patent Rolls preserved in the Public Record Office.*
Cal. S.P. Colonial, East Indies	*Calendar of State Papers, Colonial Series, East Indies, China and Japan.*
Cal. S.P.D.	*Calendar of State Papers, Domestic Series.*
Cal. S.P. Foreign	*Calendar of State Papers, Foreign Series.*
Cal. S.P.I.	*Calendar of State Papers relating to Ireland.*
Cal. S.P. Span.	*Calendar of State Papers relating to England and Spain.*
Cal. S.P.V.	*Calendar of State Papers relating to English affairs, existing in the archives of Venice.*
Carte MSS.	Carte Manuscripts, Bodleian Library.
Coke, *Rep.*	*The reports of Sir Edward Coke*, London, 1727.
Croke, *Rep.*	*The reports of Sir George Croke*, London, 1683.
D.N.B.	*Dictionary of National Biography.*
D'Ewes (*Eliz.*)	Sir Simonds D'Ewes, *The journals of all the parliaments during the reign of Queen Elizabeth*, London, 1682.
Dyer, *Rep.*	*Les reports . . . per Sir Jaques Dyer*, London, 1688.
E. 163/24:32	Treasurer's warrants relating to Mompesson, Public Record Office.
Eg.	Egerton Manuscripts, British Museum.
Eg. 2651	Notes printed in vol. 6 of this work.
First Institute	Sir Edward Coke, *The first part of the institutes of the lawes of England*, 1629.
Foedera	Thomas Rymer, *Foedera*, London, 1st ed., 1704–1735; 4th ed., 1816–1869.
Fourth Institute	Sir Edward Coke, *The fourth part of the institutes of the laws of England*, London, 1658.
Frankland's *Annals*	Thomas Frankland, *The annals of King James and King Charles the First*, London, 1681.
Godbolt, *Rep.*	*Reports of certain cases . . . reviewed by Justice [John] Godbolt*, London, 1653.
Gouldsborough, *Rep.*	*Reports of that learned and judicious clerk, J. Gouldsborough*, London, 1653.
Grant Book	State Papers Domestic, James I, vol. 141.
H.M.C.	*Historical Manuscripts Commission.*
Harg.	Hargrave Manuscripts, British Museum.
Harl.	Harleian Manuscripts, British Museum.

Hobart, *Rep.*	*The reports of Sir Henry Hobart*, London, 1671.
Holinshed	Raphael Holinshed, *Chronicles*, London, 1807.
Holland	The parliamentary notes of Sir Thomas Holland, printed in vol. 6 of this work.
Howard	Notes of debate and procedure at the parliament, by Sir Charles Howard, printed in vol. 6 of this work.
Hutton, *Rep.*	*The reports of Sir Richard Hutton*, London, 1656.
Jenkins, *Rep.*	Theodore Barlow (translator), *Eight centuries of reports by Judge [David] Jenkins*, London, 1771.
Jones, *Rep.*	*Les reports de Sir William Jones*, London, 1675.
Journals, Guildhall	Journals of the Common Council of the city of London, Guildhall Library.
K.R. Mem. Rolls	King's Remembrancer memoranda rolls, Public Record Office.
Keilway, *Rep.*	John Croke (ed.), *Reports d'ascuns cases seliges hors des papieres de Robert Keilway*, London, 1688.
L.J.	*Journals of the House of Lords.*
L.R. 2/88	The Booke of Enrollements for Defective Titles, Exchequer L.R. Misc. Books, Public Record Office.
Lansd.	Lansdowne Manuscripts, British Museum.
Letters and Papers, Henry VIII	*Letters and Papers, Foreign and Domestic, of the reign of Henry VIII, calendar.*
Ley, *Rep.*	*Reports of divers resolutions in law by Sir James Ley*, London, 1659.
Lib. Ass.	Liber Assisarum. *Le livre des assises et pleas del corone.* Sawbridge, Rawlins and Roycroft, London, 1679.
Lords Debates (1870)	S. R. Gardiner (ed.), *Notes of the debates in the House of Lords, 1621*, Camden Society, 1870.
Lords Debates (1929)	F. H. Relf (ed.), *Notes of the debates in the House of Lords, 1621, 1625, 1628*, Camden Society, 1929.
Lords MSS.	Manuscripts of the House of Lords, Victoria Tower.
M. of P.	*Return, Members of Parliament, Part I, 1213–1702.*
Minn.	The Minnesota Manuscript printed in vol. 6 of this work.
Moore, *Rep.*	*Cases collect & report per Sir Francis Moore*, London, 1688.
N.E.D.	*New English Dictionary.*
Nicholas	Edward Nicholas, *Proceedings and debates in the House of Commons in 1620 and 1621*, Oxford, 1766.
Palmer, *Rep.*	*Les reports de Sir Gefrey Palmer*, London, 1678.
Parliamentary Debates in 1610	S. R. Gardiner (ed.), *Parliamentary debates in 1610*, Camden Society, 1862.
Parliamentary History	*The parliamentary or constitutional history of England from the earliest times to the restoration of King Charles II*, London, 1761.
Plowden, *Comm.*	*The commentaries or reports of Edmund Plowden*, Dublin, 1792.
Popham, *Rep.*	*Reports and Cases collected by Sir John Popham*, London, 1656.
Prynne, *Animadversions on the Fourth Institute*	William Prynne, *Brief animadversions on, amendments of and additional explanatory records to the fourth part of the institutes of the lawes of England*, London, 1669.
Prynne, *Brief Register*	William Prynne, *A brief register, kalendar and survey of the several kinds, forms of all parliamentary writs*, London, 1659.
Pym	"Remarkable passages" reported by John Pym, printed in vol. 4 of this work.
R.P.	*Rotuli Parliamentorum.*
Remembrancia	*Analytical index to the series of records known as the remembrancia preserved among the archives of the city of London, A.D. 1579–1664*, London, 1878.
Rep.	Repertories, Court of Aldermen of London, Guildhall Library.
Rep. D.K.P.R.	*Reports of the Deputy Keeper of the Public Records.*
Rich	Parliament notes by Sir Nathaniel Rich, printed in vol. 6 of this work.
Ritchie, *Rep.*	John Ritchie, *Reports of cases decided by Francis Bacon, 1617–1621*, London, 1932.
Rolle, *Abr.*	*Un abridgment des plusiers cases et resolutions del common ley per Henry Rolle*, London, 1668.
Rolle, *Rep.*	*Les reports de Henry Rolle*, London, 1675–1676.

Rushworth	John Rushworth, *Historical Collections*, London, 1659.
S.O. Docquets	Signet Office Docquets, Public Record Office.
S.P. 12	State Papers Domestic, Elizabeth, Public Record Office.
S.P. 14	State Papers Domestic, James I, Public Record Office.
S.P. 15	State Papers Domestic, Addenda, Public Record Office.
S.P. 38	State Paper Docquets, Public Record Office.
S.P. 39	Warrants and Sign Manuals, Public Record Office.
S.P. 40	Warrant Books, Public Record Office.
S.P. Germany	State Papers, Germany, Public Record Office.
Sackville Transcripts	Transcripts of the manuscripts of Lord Sackville, Public Record Office.
Second Institute	Sir Edward Coke, *The second part of the institutes of the laws of England*, London, 1641.
1614 Diary	The Calthorpe diary of the 1614 parliament, printed at the end of App. C in vol. 7 of this work.
Smyth	Observations at the parliament by John Smyth of Nibley, printed in vol. 5 of this work.
Spedding	James Spedding, *The letters and life of Francis Bacon*, London, 1861–1874.
St. Ch. 8	Star Chamber proceedings, James I, Public Record Office.
Stat. of Realm	*The statutes of the realm*, London, 1810–1824.
Stowe	Stowe Manuscripts, British Museum.
T. & S. Proc.	*Bibliotheca Lindesiana. A bibliography of royal proclamations of Tudor and Stuart sovereigns, 1485–1714; I, England and Wales*, Oxford, 1910.
Tanner	Tanner Manuscripts, Bodleian Library.
Third Institute	Sir Edward Coke, *The third part of the institutes of the laws of England*, London, 1660.
Titus B	Cotton Manuscripts, British Museum.
V.C.H.	*Victoria history of the counties of England.*
Wentworth	Some observations and collections made by Sir Thomas Wentworth, printed in vol. 5 of this work.
X	Anonymous journal, printed in vol. 2 of this work.
Y.B.	*Year Books*, edition by Sawbridge, Rawlins and Roycroft, London, 1769.
Y.B. (R.S.)	*Year Books* (Rolls Series).
Z	Notes by an unknown writer, printed in vol. 6 of this work.

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Introduction

Introduction

THE parliaments of James I, he complained, did not dance to his piping. The monarch of Holyrood had not waited long to show his impatience with the riddles of the English constitution. With each parliament his displeasure had mounted and now for six years he had pointedly refrained from calling that assembly. For ten years no parliament had passed laws or granted a subsidy. In 1621 the Lords and Commons convened in what might be termed a parliament of necessity; even then the King had summoned it with reluctance and only after he had been persuaded by his advisers that it would behave.

"To make his Majesty in love with parliaments" was the caution heard on every hand, and it was a phrase of significance. It meant what everyone knew, that the King had to be wooed to parliament; it meant that there was abroad a certain willingness to avoid the usual pitfalls, to adjust parliamentary conduct to royal temperament. As members often said on the floor, their constituents expected them to bring back good laws and not to return again empty-handed or with rattles.

The program that the Commons contemplated was an ambitious one. A good many things which members of parliament had on their minds had been waiting since the later years of Elizabeth. Many of the bills introduced had long been on the Commons' schedule in one form or another and now seemed about to become laws. Abuses in the law, especially those that were obnoxious to country gentlemen, were to be remedied, some of them by bills of grace. Procedure in courts and the administration of justice were not what they should have been and timely rectification by legislation was planned. Fees in courts and new offices had roused the wrath of those who resorted to courts frequently and who were now ready with bills to regulate officers and their compensation.

It was proposed to define the jurisdiction of courts in some important details. Chancery in particular was the target of the stalwarts of the common law who could think of a number of bills to settle the old score with the keeper of the king's conscience. Informers had been careless to their own profit and needed to have their activities curtailed by specifically stated legal limitations. Ecclesiastical courts had their critics and bills were put through the House to remove the abuses in the administration of wills. Even justices of the peace were scolded and escaped the reformers only by the intervention of the King. Obsolete statutes had long been a serious problem. A comprehensive weeding out of such statutes was now at last about to be realized in the bill for continuance and repeal. The long standing grievance of monopolies, for the first time since the days of Elizabeth, seemed destined to undergo successful investigation. While the King looked on with misgivings, projectors of every description were put through a parliamentary inquisition that was uncomfortable. To smite the first of projectors the Commons revived in the form of impeachment that "judgment which hath been asleep these three hundred years." With impeachment they went on to sweep the Lord Chancellor out of office and wakened apprehensions in other officials. With more dispatch than discretion they pronounced judgment on Floyd, and smarted under royal reprimand and the polite chiding of the Lords. But this bold bid for power of judicature, abortive at the moment, proved the beginning and not the end of that question. The revelations of the Committee of Grievances about projectors resulted in the bill against monopolies; the revelations of the Committee for Courts about Bacon and Bennet resulted in the bill against bribery. One of the leading grievances, of course, was the decay of money and the decline of trade. The Commons listened to renewed arguments against the Merchant Adventurers and trading companies, debated again a bill for free trade, passed a bill against the importation of Spanish tobacco, endeavored by another law to un-

tangle the antiquated statutes about wool and to restore order in the wool trade, considered many suggestions for the cloth trade and discussed a bill for free fishing on the coasts of America. Religion did not escape attention; laws against papists were reviewed and strengthened, and particular care was given to the matter of collection of fines from recusants. Bills were proposed for the regulation of the clergy and for their relief. It will be seen that the program of the Commons was a large one and, although it suffered many interruptions, a good part of it seemed possible of achievement until in the autumn session the Commons stumbled over foreign affairs into the constitutional issue of freedom of speech.

We have much to say about this program of legislation and reform in its relation to the English scene, and a good deal to say about members of parliament. But both the program and the personnel of the Commons of 1621 are so similar to those of 1624 that we have decided to discuss the issues of the two parliaments together. The parliament of 1624 is in reality but the conclusion of the 1621 parliament; almost the same schedule of bills was carried through in 1624, the same grievances were reviewed and even the final chapter of the argument over foreign affairs is recorded then. Any attempt to write about the two parliaments separately would be confusing both to the readers and to the editors. We have limited the introduction in this place to the authors and the nature of the diaries printed in this portion of the work.

The Anonymous Journal, X

THE anonymous diary in the second volume we have dubbed X as a means of reference and for the good reason that we had no other name for it. It is not the work of one man but is clearly a compilation. At the beginning of X in the foreword we have mentioned five manuscripts of which we have made use in establishing the text. Other brief

manuscripts, several of them, we have been at pains to consult but without significant outcome; they prove to be only extracts from the compilation and add little or nothing save additional textual footnotes now and then.[1]

The compilation exists in its fullest form in MS. 1. It is a day by day narrative in which various accounts, separates, etc., have been put together to make a detailed record of the proceedings of the Commons. MS. 2 is a complete copy of a manuscript much resembling MS. 1. Such variations as are to be found between the texts of MSS. 1 and 2 are merely minor errors and omissions that are explained in the textual footnotes. They are not relevant to our study of the compilation and the reader may assume that what is said of MS. 1 applies to MS. 2 unless we state otherwise.

MSS. 4 and 5 are in the main extracts from MS. 1.[2] They do not concern us save as they are useful in checking one copyist by another and as types of the numerous offspring of X. All the manuscripts except MS. 3 are products of copying and recopying. MS. 3 is a manuscript by itself. It is a copy of course, but a copy of original notes. That part of the title of X which refers to "a diary of the most material passages" is really a fairly good description of MS. 3. That manuscript

1. These briefer manuscripts are such documents as speeches by the King, proceedings against Bacon, and a very considerable manuscript known as Lansdowne 514 in which there is a collection of proceedings about freedom of speech.

2. MS. 4 contains proceedings relating to the petition against recusants on February 7 and 13, the proceedings at the committee for supply on February 15, the morning's debate on supply and Coke's speech on the Shepherd case on February 16, a smattering of proceedings on February 17, the report and debate on Flood's patent for wills on March 21, debates on adjournment at the close of the second session, and an almost complete account of the autumn session. MS. 5 is a somewhat different record, a collection of materials concerning several parliaments. It has numerous extracts from some copy of MS. 1, beginning with the King's speech on January 30 and continuing through April 23; between those dates the topics selected were freedom of speech, ordnance, the Fleet, the Shepherd case, the cases of Mompesson, Michell, Bacon and Bennet. In addition MS. 5 has passages about the Fleet which were taken partly from a copy of MS. 1 and partly from a book of orders.

gives itself away at once as the work of a personality. Much shorter than MS. 1, which embodies it and other accounts, it is no mere selection from a larger whole, as are MSS. 4 and 5. It maintains throughout the session a thread of continuity. Although at times it dwindles into fragments, as if the writer were too busy to keep up with his task, it carries on nevertheless as one man's narrative.[1] As extracts the tidbit portions of MS. 3 would have been aimless, would have had no conceivable unity; as rough jottings which before they grew cold meant something to the original note-taker, they are explicable. MS. 3 forms a contrast to MS. 1 which is cluttered in places with shreds of stray materials sorted out and fitted into a mosaic by a collector bent on disposing somehow of all he had gathered from various sources. MS. 3 is not a mosaic but the work of one who obviously is trying as he goes along to keep up with his notebook.

It was upon MS. 3 and some other diary, which we will call an unknown source, that the compiler of MS. 1 relied for most of his material. So far as we can judge nearly all the material in the compilation that was not taken from MS. 3 comes from one other diary. That diary considered as an entity has the semblance of a narrative with continuity through the parliament. Sometimes it covers the same ground as MS.

1. MS. 3 is at its best from the opening of parliament down to the beginning of the Easter recess; indeed for that period it can hardly be matched by any of the other diaries. Even before the Easter recess, however, MS. 3 begins to flag. From then on gaps in the reporting become slightly more frequent, attention to details is less close, fewer speakers are mentioned. During the Easter recess the writer took no notes of the Grand Committee. With the second session which begins on April 17 MS. 3 resumes, but in an irregular fashion. For April 20–24 (except for the Committee for Grievances on the 23rd), for the debate on the morning of the 27th, for May 1 to 5 inclusive and part of May 7, for May 11 and part of May 12, and for part of May 29 and the remaining days down to the adjournment on June 4, there are substantial reports in MS. 3. What little there is for other days, if it were lost, would hardly be missed, with the exception of a few paragraphs. For the autumn session MS. 3 is almost a separate account, but the notes are left in a rough state with speeches abbreviated and clipped sentences.

3; frequently it supplies considerable material of which MS. 3 has no notes at all. We may suspect that there was a good deal of material in the unknown diary of which there is now no trace in the finished work of the compiler.

Depending mainly on MS. 3 and the unknown source, the compiler has shown skill in weaving his materials together and in reconstructing a narrative from them. If at times he makes errors, he atones for them by an astonishing accuracy at other times. Not only has he shown ability in placing speeches from two or three different records of a day's proceedings but he has sometimes with ingenuity pieced together from the stray offerings of various accounts a substantially complete version of a single speech. MS. 3 will have a speech by Sir T. B. in a few brief sentences. In the compilation those sentences will all appear, each put in its proper place in the whole, a fact which can be readily tested from other diaries. How he was able to do all this as well as he did remains a mystery to the writers of this introduction. The compiler must have had helpful notes from his unknown source, yet he seems to have realized that the notes in MS. 3 were better and to have inserted them whenever he could.

It must be said further that the compiler practised restraint in tampering with phraseology. When a speech in MS. 1 turns out to be different from that speech as recorded in MS. 3, it has not been rewritten by the compiler in his own language but has been lengthened by the insertion of sentences and clauses from another report of the speech. Or possibly sometimes a longer record of the speech in another account has formed the basis of the text, and the sentences in the briefer MS. 3 original have been inserted where they would fit. If occasionally the wording of speeches seems a bit clumsy, it is not so much that the compiler was making a poor job of reproducing them and of fitting them together as that he had poor notes from which to make up his narrative.

To be sure there are times when it is hard to say whether the information given is from the compiler or from an unknown source he is using. Where the X account describes the

choosing of the Speaker,[1] the clause "(whom the King liked)" is supplied in addition to what is in MS. 3. Possibly the parenthesis is intended to tell us that this is an interpolation by the compiler. Yet the compiler may have taken it, so far as we can tell, from his unknown source. Just below those words, the explanation that Richardson "having never been of parliament before understood not the orders of the House" is not to be found in MS. 3 and its source is uncertain. On the same page below, the clause "(who had the negative voice)" is another example of interpolation which may come from the compiler or from his unknown source. These three interpolations are not characteristic of MS. 1.

The task of the compiler certainly was not simple. If he has shown extraordinary knack in patching narrative and fitting sentences into speeches, he has on the other hand pinned material together in haphazard fashion.[2] There is weaving so brilliant and so stupid[3] that we suspect the com-

1. X (2:14).

2. In MS. 1 there are often blocks of material, from a stray item or two to whole sections of a debate or of a day's proceedings, that are conspicuously out of order and are sometimes headed by the wrong date. These misplacements are usually the result of lack of knowledge on the part of the compiler. Most of the material which is misplaced in MS. 1 appears in its proper chronological position in MS. 3. The author of MS. 3 did sometimes shift and rearrange material. For example, the report of the hearing and debate on the Leicestershire election on February 9 originally appeared in the manuscript on February 8, following the passage on the 8th which deals with the same election. But by introducing the material which really belongs to the 9th with the words *the next morning*, the author of MS. 3 preserved the chronological sense. Many times it happens that the last item for the day in MS. 3 is in correct position, i.e., at the conclusion of the MS. 3 report for the day; and yet that same item will appear in MS. 1 out of position. This occurs because the compiler of MS. 1 has appended to the MS. 3 report materials from another source. In several important instances MS. 3 is right in the placing of speeches and MS. 1 is woefully wrong. In most cases we have transferred misplaced material to its proper date and position; but we have retained the folio numbers of MS. 1 and they will plainly mark such transpositions.

3. Once in a while the compiler of MS. 1 makes no attempt whatsoever to weave together his sources. Then we find in the original of MS. 1 two successive blocks of material covering the same topic, only one of which is in MS. 3. As the textual notes show, often we have had to remove from the compilation one of two versions of a speech.

piler was a man of intelligence who left some of the work to a secretary. Far be it from us to judge him harshly. He lacked all these diaries and the Journals of the Commons by which we have been able to detect his errors. All he had besides MS. 3 was a handful of separates, Rushworth and an unknown source. One wonders, however, why he did not gain access to one of the many manuscript copies of Commons Journal that were already in circulation by his time.

A good deal of the compiler's difficulty, we can be certain, derived from the difference in quality of his two chief sources. His preference for MS. 3 is comprehensible. The diarist of the unknown source was not skilful in note-taking, nor quick at catching the idiom of the speakers. His reports of speeches were often, though not always, briefer; he would sometimes reduce long speeches to a couple of sentences and those sentences might overlook the main points of the speaker's remarks. In the unknown source the sentence structure is at times poor, even unintelligible, in contrast to the facility of expression in MS. 3. Whereas MS. 3 confines itself to a few of the more striking speeches, usually those by prominent members, the unknown source is likely to give more speakers and to pay less attention to significant statements made by them. On the other hand the author of MS. 3 would omit the names of speakers now and then, often such names as those of E. Sandys, Coke, Phelips and Alford. At times, indeed a good many times, he has that carelessness so common among parliamentary diarists of failing to put in date headings, particularly in the latter part of his notes which were fragmentary. This confused the compiler who fitted in such undated notes earlier or later than they belonged and might put notes from his unknown source for the same topic on the right day. In fact the compiler was selecting material from the notes of two quite different people. The unknown diary is labored and the work of a persistent person. MS. 3 is the work of an intelligent and penetrating mind who is, however, irregular in recording.

Naturally we were interested to see whether we could find any inklings of the authorship either of the unknown source or of MS. 3. Besides the usual investigations we have made other intensive studies to this end. From all the records of the parliament we have charted for every day the activities of every member mentioned. We have made a comparative study of the speeches of certain individuals and noted how many of them were in X, how many were in the unknown source, how many were in MS. 3, and whether the speakers from any section of the country seemed to receive special attention from either of the sources. We noted topics emphasized by the unknown source and by MS. 3.[1] These and other studies gave us few clues as to the authorship of either MS. 3 or the unknown diary.

For the unknown source we can point to a few items which are not helpful even if they are genuine hints. On May 11 the compiler found no mention in MS. 3 of the bill for Dunwich Haven and had to supply the note of the bill from his unknown source. The entry does not name Dunwich. We are told simply of the "haven which is spoiled by the east wind,"[2] as if the note-taker expected all the world would know what haven was meant. On February 6 in the Committee for Privileges, Noy speaks of the Stockbridge election case. The unknown source calls the place Woodbridge.[3] This might be a copyist's error though in all probability it is not. Woodbridge was in Suffolk. On May 17 twice within a few lines[4] the unknown source calls Sir George Manners "Sir Francis." Since 1612 Sir Francis had been Earl of Rutland. A man whose pen could slip into the unaccustomed Sir Francis must have had a memory for events in late Elizabeth

1. The following topics are either not mentioned at all or are covered inadequately in MS. 3: regulation of Fleet prison, trade, fishing, Cinque Ports, lighthouses, Ireland, proposed sequestration of E. Villiers, Clement Coke affair, grievances of the brewers, bill for pensions, proceedings on charges against Coke in the autumn session.

2. X (*2*: 358).

3. X (*2*: 33).

4. X (*2*: 378, 379).

and early James. The author of the unknown diary may have been an elderly man from Suffolk and he may not have been.

As for the author of MS. 3, what efforts we have made to find him! That MS. 3 has a distinct individuality has been indicated. At the beginning of the narrative the author of the original of MS. 3, instead of recording the King's speech in parliament, complains that old parliament men were prevented from hearing the speech by the many in attendance who had no business there.[1] It would have been a simple matter for the author to acquire a separate of the King's speech and to insert it in his notes,[2] but he chose rather to express his resentment. Was he himself possibly one of the old parliament men? He continues at once with a statement about the choice of Speaker, but does not agree with the compiler of X that the selection of Richardson was unanimous.[3] In reporting the subcommittee for recusants on February 7 he substitutes for Calvert's speech a sardonic comment[4] and his is the only account to put the matter so bluntly.

Other things can be said of him. He is not greatly interested in trade. Nor does he follow committee meetings with regularity.[5] He says he thinks the House too lenient in freeing Sir Thomas Beaumont.[6] He agrees that Shepherd

1. X (2:1 n. a).

2. The author of MS. 3 showed no great interest in separates. The circularized version of Rudyard's speech on May 15 is one of the few separates that appears in MS. 3 and there is reason to believe that the author himself did not bother to copy that one. In the autumn session the author of MS. 3 could easily have filled in his account with copies of the petitions, remonstrances, letters and messages from the King, all separates readily obtainable from the Clerk or from scriveners. He has only two of those separates, the remonstrance of December 6 and the protestation of December 18. All other documents of that group are in the form of notes such as would have been taken in the House. But the compiler of MS. 1 made generous use of separates.

3. X (2:14 n. x).

4. X (2:39 n. b).

5. The compiler of MS. 1 uses all the notes of committees in MS. 3 and adds fifteen other committees besides the meetings of the Grand Committee during Easter recess. Furthermore the unknown source furnishes supplementary material for committees which were reported more briefly in MS. 3.

6. X (2:94).

deserved to be cast out.[1] On April 28 an order was made that private bills should have second reading on Saturday afternoons. "An ill order as I have seen by experience,"[2] says the originator of MS. 3 and goes on to explain why.

It is easy to make conjectures about the origin of these manuscripts, easy to pursue indefinite hints of authorship, but our suspicions prove so flimsy that they are best not mentioned. The unknown source appears to have been an ordinary diary. But MS. 3 baffles us. In places it sounds almost like a news-letter. Observe how the account for February 16 begins:[3] "I will set down the report first though not next in order." In many passages of MS. 3 there is a faint intimacy of style or a bit of explanatory phraseology as if one person were writing to another. Here and there touches of personal opinion by the originator of MS. 3 convey something of the same impression. Some of them have been cited above, but there are more. For instance, on March 15, when charges against Bacon were first brought out of committee, MS. 3 ends the day with the comment[4] "in the judicial censure of any man we must lay aside all private respects." The sneer at the subsidy granted by the clergy also comes from MS. 3.[5] There are other sentences of possible significance. Notice Glanville's speech on February 6. The last part is introduced by "The third thing that I proposed."[6] Similarly in Phelips' report on March 5 appears the statement:[7] "The third thing that I proposed was the abuse of it in two things." Perrot's speech in the subcommittee on February 7 concludes thus:[8] "These things I thought fit to refer to the consideration of this committee." Are these men possibly aiding the originator of MS. 3 to round out his notes of their speeches? Are they quietly informing an unofficial group about certain of their remarks? Are the good notes of Coke's reports from the

1. X (2:96).
2. X (2:330–331).
3. X (2:92).
4. X (2:232).
5. X (2:249–250).
6. X (2:30).
7. X (2:165).
8. X (2:38).

Committee for Grievances, and of Sackville's and Phelip's reports from the Committee for Courts during the first part of the parliament, kept to serve a wider interest than that of the diarist? Was there a reason for writing, some days after March 8, that extraordinary record of Mompesson's impeachment? And who was fitted to do it? Not many we should think.

Undoubtedly there were more members keeping notes during this parliament than we can now track down. Remember Mallett and Rolle. On April 23 when Sackville was late in coming to the House, Mallett offered his notes to be read in place of Sackville's report.[1] Though those notes, taken from MS. 3, are interestingly detailed up to the point where the House interrupted the reading, we cannot associate Mallett with MS. 3. Nevertheless we must not forget that a man who could so promptly supply notes was likely to have kept notes of other proceedings. As for Rolle, in his *Abridgement* he uses illustrations from the parliament of 1621. One of those illustrations reviews the arguments of Noy and Coke on the licensing of inns,[2] another tells of the condemnation of Flood's patent for wills and of Lepton's patent for bills in the Council in the North.[3] Rolle's notes about inns remind us of X; the words in old French follow closely enough after X so that we can reasonably believe either that he used X notes or that his notes were almost the same as those in X. Certainly the notes about Lepton's patent seem to be Rolle's and no other's; part of them recall his own remarks as reported by Belasyse on May 7.[4] Yet we really know nothing that would connect Rolle with this diary.

The mystery of the origin of MS. 3 is rendered the more tantalizing by the certainty that there was an author. Each new fact that we pick up about it in some measure sustains our theory of its independent existence. A manuscript re-

1. X (2:310).
2. X (2:174–175); 2 Rolle, *Abr.* 84.
3. 2 Rolle, *Abr.* 214.
4. Bel. (5:152).

cently purchased by Mr. Percy Millican contains proceedings from several parliaments during the reigns of James I and Charles I, notes of cases in Star Chamber, and other matters. The part that concerns us is the several pages of notes for the House of Commons in 1621. Upon our application to Mr. Millican he took the trouble to make a transcription of those notes. They proved to be a selection of brief passages from MS. 3. The title of those notes was itself interesting: "Notes taken from a Journal (lent me by Mr. Cotton) of the Lower House of Parliament in the year 1620." The borrower may have been Francis Drake, of Walton-on-Thames we suppose, whose signature appears in another part of the manuscript. Who Mr. Cotton was we cannot be certain, but it seems probable that the manuscript was borrowed from the collection brought together by Sir Robert Cotton. Furthermore, from the content of Mr. Millican's manuscript, we may make the plausible deduction that the original of MS. 3 was in circulation between 1630 and 1634.

There is other evidence that MS. 3 was in circulation about that time. We are in possession of a manuscript (eventually to be deposited in the Yale Library) that at one time belonged to the antiquarian of Leeds, that Ralph Thoresby whom historians have not quite forgotten. It is a book containing copies of treatises and papers on various subjects, and a few legal documents. There are papers of parliamentary proceedings from 1621 to 1628. Many of these papers are separates but in a few cases where we should expect to find separates, we find copies of original notes. The collection can be dated as having been made before 1640. Most of the papers for the 1621 parliament are the familiar separates of the written exchange between the King and Commons in December. Two of the 1621 papers are copies of notes. One of them is entered in the table of contents as "Some notes concerning parliament, 1620." On folio 10, where the paper begins, the title has been first revised and then blotted out, and beneath it is written "Some scraps scarcely worth perusing

out of the notes of Sir J. W." Sir John Walter, we take it, was the author of the notes.

The other paper is entitled in the table of contents: "Notes of divers speeches in the said parliament, 1621." They cover the debate about Sir Edwin Sandys on December 1 and the debate about the petition of right on December 3. These notes, it is soon evident, belong to the X group of manuscripts, but their exact relation to the several manuscripts of that group we cannot make out. From internal evidence too complicated to describe we can be certain that these notes from the Thoresby MS. are not extracts from MS. 1 as we know it; yet some copy of notes used by the maker of the Thoresby notes was available to the compiler of MS. 1. It is further evident that the person who gathered the notes now in the Thoresby MS. had knowledge of MS. 3 and made arbitrary use of it. For the second time therefore we find a copy of MS. 3 in circulation between 1630 and 1640.

The Thoresby MS. also helps to corroborate a discovery we had already made about MS. 1, that besides MS. 3 and what we have called the unknown source, the compiler of X had another unknown source. For example, on December 1[1] there are three versions of Mr. Spencer's speech. The compiler uses this second unknown source so rarely that we can do no more than to state that it was in existence.

We have torn X into its component parts; pitifully little we know about it for all that. We have not worried the reader with much that we have done because the results are so slight, because we have found nothing conclusive. We have our suspicions about MS. 3. We will reserve those suspicions until they can be proved or disproved. We may be so near the truth that the discovery of one more X manuscript will solve the problem. We have lingered so long in discussion of X because we hope that the little we can now contribute to solution of the problem may encourage others as well as ourselves to find the final clue.

1. X (2:483–484).

The Barrington Diary

WHEN we looked upon the little books of the Barrington diary in the parish chest at Hatfield Broad Oak and examined the materials, we realized that this diary, for the time covered, was about as full a record of the House of Commons as any known. In many ways it is the most useful of the diaries in reproducing the Commons at that time. Sir Thomas Barrington was no leader in the Commons. He was an important puritan country gentleman and in most respects, as we know from the family letter books, a typical country gentleman. He was not a lawyer, he was not a man of wide reading and of vigorous power of mind. And yet he was a man who understood what was going on and was able to put it on paper. More than Pym or Wentworth he could give us an everyday picture of the House of Commons.

He had a way of reporting speeches in informal, idiomatic language; his version of many speeches has a ring of the time, of the way men probably talked. On the 28th of May he makes Phelips say: "Sith we go home so suddenly, as none expected, let us resolve, sith we depart with some comfortable hopes (but not without some sad thoughts), to clear the judges and in the vacation if that it may not be sooner." He quotes Sir Samuel Sandys as saying: " 'Tis fit that we recede, for most have spent their old stock of money and need go home for more, and therefore let us provide those grievances and those things of necessity that we can while we have time." Barrington reports that Sir Edward Coke, speaking to the bill of dilapidations, said, "Away with it." Seymour, he says, repeated one Michael Chambers' contemptuous remark that he "cared not for the parliament a fart." When on the 1st of May Horsey put a libel into the hands of the Speaker and the House waited impatiently to hear what was in it, Phelips could contain himself no longer and broke forth, according to Barrington, in these words: "You, Mr. Speaker,

have put a longing desire into us to see it. You have shewed it to divers about you, therefore we must not lose our right which we have to see it as much as the rest have." At a conference on the 25th of April Coke spoke up: "Ha, Mr. Attorney, do you talk with them aforehand? So do not we. We came to talk with the Lords. As for you, Mr. Attorney, you may be as well against them as we." On the 31st of May Sir Edward Cecil protested: "Mr. Speaker, you must forbear your prefaces, for you are too large in them." On the same day Sir Edwin Sandys talked back to Cranfield: "Let every man that comes in here lay down his greatness at the door and so the meanest lay down his meanness. They that tittle the King with informations, let us not think they do discreetly nor suffer any to be taxed here."

Barrington was following the actual language of speakers so closely that he manages to give the note and tone of the House better than any other account. On the 30th of May the Commons, confused by the King's command that they should go home for a while and perplexed as to what they should do, were discussing the situation with a good deal of excitement. Barrington reports Alford thus: "Bribery and extortion is so great, I pray God it destroy not the kingdom; but let us now pass to the particular business we have to do. We cannot (with grief I speak) do anything. Traffic is gone, imposition undoes us, all people live upon hopes and that of this parliament. We must not carry them home rattles. Let us part fairly with the Lords. They speak of matters of state. We all saw how forward the King was at the beginning, but I have seen a great quailing since Easter. I pray God there be not more respect of private men than of public good. . . . We are the counsel of the land; where counsel fails, the people perish. Let us therefore petition to his Majesty that we may have a certain meeting at Allhallowtide." These words have a ring to them. The third sentence might have been by Joseph Chamberlain. And all of them might have been by an Elizabethan. Here is a man who is speaking his mind, and

without fear, almost with the accent of Peter Wentworth. And Barrington gives us the accent as neither Pym nor Nicholas nor the Clerk of the Commons would have done. It is easy to infer that Alford is talking to a House that is not unsympathetic, that is nearly as stirred as he and probably less certain than he as to what to do. Barrington does more. He records the cries of the House when they shouted "to the question,"[1] or when at a conference they cried "to the House."[2]

It is of course a defect of Barrington's skill that in endeavoring to follow too closely the words he heard a speaker utter, he found his pen unable to keep up. In an elaborate and reasoned speech he failed often to enter the phrases and connections which would have made the reasoning and argument clear. On the 26th of November Digges, as a former ambassador who was interested in the details of diplomacy, undertook in a long speech to explain foreign affairs to the House. We cannot stop to quote the speech, but a comparison of Barrington's report of it with that in X is illuminating. X has the speech in less than a third as many words and gives it with such analysis that it is easy to follow the reasoning. Barrington's mind does not work in an orderly, logical way. He leaves out such important details that it is often impossible to guess what a speaker meant unless we turn to another narrative. On May 1st the Commons were talking about the proposed reform of commissions of the peace and in Barrington's notes Finch is made to say: "It is an honor to the profession to be put out of the commission among the unworthy," a statement that does not at once commend itself to the intelligence. But when we read Belasyse, Finch's words make sense: "We cannot perform a better service to our profession than to procure the honor of it, and we cannot more honor it than by having men of greatest worth and reputation of it in great place and office." Another illustration of the weakness of Barrington's reporting is to be found on

1. Barr. (3:399). 2. Barr. (3:344).

May 17 in a speech by Drake: "In our country we improve ground and set the poor awork, which if we have not corn at good rates we shall employ to feeding and the country will be undone." This speech becomes clear in Nicholas who usually put down in cogent form the thoughts of others:[1] "Whereas it is said that the poor will starve for want of corn if it be not lawful to be imported at all times, he knoweth that in Devonshire (where there is scarcity of corn) the poor complain of the cheapness of corn, for now the farmer will not set the poor husbandman and laborer to work, because he can get nothing for corn, whereby the poor are like now to starve in a time of plenty for that they want work and can earn no money."

It would be possible to give many illustrations of this want of orderly thinking in Barrington's reports. An extreme case of Barrington method occurs in the reported proceedings for May 7. Early in the reign of James, John Lepton had secured a patent for drawing bills in the court of the Council in the North. The Committee of Grievances investigated the charge that this patent had raised the cost of suits in the North. Wentworth, whose acquaintance with and experience in the Council qualified him to assail the patent, made a speech in committee[2] which Barrington records but in such fashion that it is impossible to make head or tail of it. The account in Nicholas[3] supplies clearly enough the substance of that speech. This, however, is to be said for Barrington, that when we get the point from Nicholas we can draw from Barrington important additional details. Barrington did understand matters even if he had an oblique mind and wanted any gift of expression. In that way he was like that Huntingdonshire cousin who was also a plain country gentleman but one whose capacity for action was more than to atone for the want of skill in statement.

Yet we have no sooner alluded to Barrington's want of

1. Nicholas, 2: 89.
2. Barr. (3: 193).
3. 2: 37.

skill in statement than we should wish to qualify. Occasionally Barrington does select a few sentences from a man's speech with such good results that an excellent summary of the thought appears in his notes. If the reader will look at X's full report of Gooch's speech in defence of the clergy[1] and then compare Pym's[2] far from lucid summary with that by Barrington,[3] he will see that Barrington could select sentences that were essential.

Barrington had a good notion of the state of business in the House; he knew what had gone before. When Sackville moved, on May 4, that the journals of parliament be kept as records and entered upon rolls in parchment,[4] Barrington remarks: "Ordered before and confirmed now." It had been ordered before on the 13th of February. On the 19th of April Horsey called for the reading of the list of bills. Barrington continues thus:[5] "The Clerk reads them all and there are, as I told them now, in the schedule in the House, with those that are rejected, 110." Later when he was serving on the committee for survey of business, Barrington put down part of his list of bills and marked some of them with his own special signs. He diligently attended committees and gives us reports of the subcommittee for the mariners' wives who petitioned against the East India Company, the committee for alehouses on April 25, the committee of four who inspected the privy seal for the Masters in Chancery and some rather detailed reports of standing committees. Barrington is the only one to inform us about what went on in committees which sat to make alterations in bills. He takes notes of the committee for the bill for arms on May 9, the committee for the tobacco bill on May 11, for the bill against recusants on May 15, and for the bill for pluralities and the bill for catechizing on May 17. It was Barrington again who struggled bravely on May 26 to put down Hakewill's report

1. X (2:439–440).
2. Pym (4:432).
3. Barr. (3:432–433).
4. Barr. (3:169).
5. Barr. (3:19).

of the bill for continuance and repeal of statutes. The keeping of the Barrington diary was good, hard work.

For whom was Barrington writing? Was he thinking of posterity? There is no evidence of it, nor any evidence that he was writing for friends in parliament who might wish to use the record in another parliament. Once he alludes to a speaker as "my Uncle Giles."[1] Sir Edward Coke was in the Chair at Committee and my Uncle Giles was the first to speak. Of the three people in parliament who had the christian name of Giles, one had been expelled and another had been sequestered. The third, Giles Greene, was not a member we should expect to find leading off in an important debate. We should be less surprised to learn that it was Sir Edward Giles who may have been, in some way that we do not know, related to the Barringtons, for they had many kin. But from this allusion as well as from the general character of the diary, we conclude that Barrington was writing of parliament to please himself. That he also kept notes of the earlier part of parliament is possible. We cannot believe that the fate which overtakes such manuscripts has spared us all that Barrington wrote about this parliament.

Before we end these comments on Barrington we must call attention to the value of this diary for study of pronunciation. The following spellings are some of the examples to which an interested reader can easily make additions:

hable (able), 24[2] *et passim*
  dishable, 153, 154, 251, 461
  habilyty, 195, 245, 451, 462
  inhabilyty, 461
  inhable, 65, 188, 243, 295, 454
  unhable, 37, 172, 241
ayer (air), 57
  ayer, ayre (eyre), 76, 77
allhouses, 41, 43, 67, 70 (3), 82, 222–224

1. Barr. (3:329).
2. These figures refer to pages in the Barrington diary in vol. 3.

emong (among), 30 *et passim*
appeear, 26, 49, 97, 144, 363
  beear, 84
  cleear, 2, 30, 44 *et passim*
  deear, 46, 257, 463
  heear (hear, here), 2, 3, 4, 17 *et passim*
  Laneear (Lanier), 2
  meear, 73, 82, 145, 161, 247, 291, 398
  neear, 21, 44, 446 *et passim*
  peears (peers), 417
  yeear, 14 *et passim*
assice (but usually *assise*), 37
assuer, 96, 220
balancet, 107
befoor, 25
behoofefull, behoofefall, 16, 75, 214, 357
ben, 8, 11, 13, 23 *et passim*
  been, 70
  bin, 43, 137
bensh, 94, 139, 166, 325
bould, bouldness, 98, 164, 205, 438, 451
boulster, 83
boult, 53
britheren, 230, 241
censuer (but usually *censure*), 173
cloased, 83
  forecloased, 361
  incloaseing, 93, 186, 445
controulers, 440
controulment, 103
corage, 133
  discorage, 155, 317, 438, 461, 464
  incorage, 234, 319, 418, 464
creatuers, 174
crewelty, 126, 180
debuty (deputy), 86
desyer, 16, 20 *et passim*
devower, 75
dewring, 154, 173, 203, 219, 235

discide, 82, 198, 199, 201, 460, 465
dooar, 91, 130
Dosset (Dorset), 367
eand, 23, 30, 32, 35, 40, 41 *et passim*
extreordinary, 193
Finsh, 114
florish, 74
  flowrish, 98
fornace, 258, 272
  furnises, 199
  furnase, 255
fyer, 17, 48, 75, 126, 142
  fier, 255
gatt, 24
Hanbro, 48
haier (heir), 24
  heaiers, 236
  heier, 236, 241, 243
  heyer, 422
upheald, 117
healpe, 432, 433, 450, 451
heather (hither), 14, 47, 49, 107, 146, 157, 298, 389, 440
  heatherto, 12, 211, 459
  theather, 224
  thether, 427
whorde up, 214
  hoording, 449
horss, 423, 427, 433
hould, 23, 166, 173, 414, 420, 423, 448
  behoulding, 14, 249
  copyhoulders, 93, 293
  freehoulders, 19, 20, 21
  househoulders, 412
  uphould, 71, 286, 419, 423
imbessiled, 190
indewer, 435
inhawncement, 443
ioinct (joint), 73
hit (it), 466

Jenuary, 233
leisuer, 423
maleingitie (malignity), 180
manefactuers, 442
measuer, 80
Minnett (Minehead), 191, 222
  Miniate, 190
  Minniat, 191
pinsh, 57
pleasuer, 73, 82, 83, 143, 145, 154, 204 *et passim*
plomes (plums), 434
precize, 199
preheminence, 181, 200
pussled, 127
reluicks (relics), 121
scedule (schedule), 19
sease (seize), 439, 440
sheears (shires), 282
  shiers, 69
  shirs, 27
silldom, 221
souldiers, 309, 450, 456
stayers (stairs), 202, 203
sodaine (sudden), 205, 237, 346, 361
sollaine (sullen), 356
  sullin, 361
suer (sure), 55, 394
  sewer, 34, 116, 243, 415, 435, 448, 468
  sewerly, 76, 81, 141
  sewertyes, 223, 253, 405
  suertyes, 175
swarve (swerve), 208
sumetry (symmetry), 16
tearm, 165, 409, 435
theise, 1, 7, 9, 16, 19, 29, 31 *et passim*
  theas, 83
theay, 2, 3, 6, 9, 20, 23 *et passim*
tould, 13, 14, 19, 24, 25 *et passim*
toung, 124, 138, 141, 276, 302, 472

trafuick, 353
trensh, 9, 87, 172, 393, 402
tresuer, 53, 351
verditt, 295
vicarige, 288
vittling, 70
vioages (voyages), 81, 94
Walls (Wales), 48, 84, 85, 93
yearne (yarn), 19
yis, 39, 203, 378

The Diary of John Pym

WE first came upon this diary and its mate, the diary for 1624, in the Historical Manuscripts Commission Reports. The Earl of Winchilsea was kind enough to allow us to photograph both diaries. They were in the same secretarial hand and were evidently in the first instance prepared by the same man. We do not know whence these diaries first came into possession of the Earl of Winchilsea's ancestors. Later in the British Museum we found another copy of the diary for 1621 nearly as complete as the Winchilsea MS., though with brief passages here and there left out. In this copy the first few pages and after that the marginal notes throughout were in the extraordinary and almost unreadable hand of Francis Russell who was to become the fourth Earl of Bedford. This manuscript, entered in the British Museum as Add. 26637, is one of several volumes of manuscripts which came into the British Museum at one time and were catalogued in sequent numbers; they belonged originally, according to the British Museum catalogue, to Chief Justice St. John. The next volume in that series, Add. 26638, is another copy of the same diary but with many omissions. The following volume, Add. 26639, has a series of extracts from the same diary of the parliament of 1624 as that in the possession of the Earl of Winchilsea. It has folio references to

some manuscript from which it was copied and has, in addition, extracts from a diary for 1625. The diary from which the latter extracts have been made turns out to be the same as the diary published in the Camden Society by S. R. Gardiner under the title *Debates in the House of Commons in 1625*. The manuscript from which Gardiner edited the diary of the Commons in 1625 was owned at the time he published it by the Knightley family of Fawsley in Northamptonshire. It will be recalled that the Knightleys were part of the circle of puritan country gentlemen who supported the opposition to the King and who prepared the way for the Long Parliament. The fourth Earl of Bedford, Lord Say and Sele, Pym, Hampden, etc., belonged to the same coterie and were the kind of people who might have lent one another manuscripts for secretaries to copy. Afterwards we found another copy of the 1621 diary in the Bodley, classified as Carte MS. 95. Where it came from or who originally possessed it we do not know.

We have said that the diaries for 1621 and 1624 as found in the Winchilsea MSS. were by the same man. Was it not possible that the third diary, that edited by Gardiner, was prepared by that very man? The proximity of the three diaries in the British Museum suggested a common author. A closer study of the character of the three diaries led the three editors separately to come to the conclusion, from which we believe there is no escape, that they were all originally prepared by the same person. It takes only a brief examination of the three diaries to discover that in all of them the afternoon session is always headed *eodem die,* a heading we have not encountered in any other diaries. But there is something more interesting than that. In 1621 the diarist in dealing with the bill against scandalous ministers[1] says: "Whereupon it was committed. *Vide* in Parliament 21 Jacob. 145." In other words he is referring to a journal of the parliament of 1624. When we turn to the diary of 1624 and come to the

1. Pym (4:433).

bill against scandalous ministers, we find:[1] "Dr. Gooch took divers exceptions which were the same that were propounded by him the last parliament. *Vide fol.*" It would look as if the diarists for the two parliaments were one and the same man making cross references. It would be a strange chance if two different diarists hit upon the same thing upon which to make a reference to the other parliament. But we can go further. There is almost as good evidence that the diarists of 1624 and 1625 were one and the same man. On the 24th of February, 1624, the diarist gives a brief résumé of Buckingham's narrative and adds: "The entire report hereof both appear in folio [*blank*]." On March 25, 1624, the diarist summarizes Mr. Solicitor's report of his audience with the King and says at the end: "See all this speech in fol." Then the diarist notes the important points in the King's answer and at the end remarks: "*Intrat* at length, fol. [*blank*]." We might infer that the diarist kept a second volume of manuscript in which he entered long documents. Evidence of this is more conclusive in the diarist's account of proceedings for the 8th of March, 1624, when a subcommittee submitted a report of a speech by the King. The diarist says: "The subcommittees thought fit it should be reported *in ipsissimis verbis* and all men that will to have copies." Then he adds: "This speech of the King is entered at large *inter extracti parliamentum,* folio [*blank*]." He did then have a volume of documents and he called it *extracti parliamentum.* So had the diarist for 1625. That diarist on August 9 is giving Mr. Solicitor's report of the Duke of Buckingham's speech and goes on:[2] "And then he [Buckingham] called for a declaration 23 March, 1623." The diarist adds in parenthesis: "which is entered 2d L. of extracts of parliament." The diarist of 1625 and the one for 1624 both refer to a book of documents of the parliament of 1624 which each of them

1. March 22.

2. S. R. Gardiner (ed.), *Debates in the House of Commons in 1625,* Camden Society, 1873, 96. Hereafter this volume will be cited as *Commons Debates, 1625.*

calls extracts of parliament. It seems not improbable that the diarists of 1624 and 1625, who thus refer so handily to "extracts of parliament," are the same.

But there is more evidence of a common author of all three diaries. The diaries were prepared by a man who made his minutes as no other man before or after him. Nearly all diaries have marks of personality upon them, but in general they record one speaker after another. If there is an occasional remark upon the situation in the Commons or upon the impression produced in the Commons by a speaker, it is about all the writer does to give us a key to his personality. He will of course by his choice of material, by the debates he emphasizes, by the speakers he picks out to report at length as well as by those he ignores, give us clues as to his interests. But these three diaries are set off from others by a reasoned analysis of the debates. Other diaries, to be sure, do now and then summarize debates. Sir John Eliot in his *Negotium Posterorum* does a little of it, but he does it where he is following the diary of the Commons for 1625 which constitutes *Commons Debates, 1625*. In 1621 Sir Thomas Wentworth in his brief account has done no little summarizing, summarizing indeed without much use of speakers. Other diarists as Gurney for 1624 and Nicholas for 1624 occasionally summarize a piece of debate. But not as this diarist. He marshals his arguments on one side or the other, now and then mentioning who presented the arguments, now and then giving in order the important speeches, each of them in analyzed form. His account is above everything else a carefully arranged presentation of the debate that drops easily at times into a chronological order. His method is a combination of analysis and of speeches analyzed.[1]

It may be best to offer a few illustrations of the method of these three diaries which we have ventured to say are all by the same man. On the 30th of May, 1621, the diarist wrote

1. See Pym (4: 396–398). Other examples are in the 1624 diary, March 15 and 23, and April 7.

as follows:[1] "To these two propositions (1) of doing nothing, (2) of doing as much as we can, was added a third of concluding neither of those two ways till we had consulted with the Lords. Betwixt these three points was divided all the debate of the forenoon." On the 19th of March, 1624, the diarist wrote: "The business suffered a very long agitation. Some spake to the proportion of the gift and the first that propounded a certainty was . . . Others spake to the manner of our proceedings which Sir John Savile would have divided by three enquiries and to debate them in order: (1) what was to be done, (2) what the charge would be, (3) the means of raising that charge. Wherein he was seconded by Mr. Alford, Sir Arthur Ingram, Mr. Mallory and others, among which no doubt there were many who wished this order for the better perfecting and establishing of our counsels; and perchance there wanted not who in this variety affected delay or an opportunity of crossing that in some privative or subordinate question, which question they would not oppose in the main." On June 22, 1625, the diarist proceeds as follows:[2] "The rest of that forenoon was spent in considering what to do rather than in doing anything. Sir Edward Coke gave 3 reasons against making committees for grievances and courts of justice . . . Others were unwilling to depart from the customs of the House by relinquishing their committees but Sir G. More affirmed that this is a custom of a late beginning . . . Sir Fr. Seymour and Mr. Delbridge for a bold but mournful petition concerning the toleration of papists . . . Sir Ro. Phelips added the consideration of the new impositions and some fit provisoes." On the 23rd of June, 1625,[3] the diarist wrote about an election case: "The questions were two: 1. Whether he ought to have privilege of the last parliament? 2. If not of the last, whether of this? The opinion of the committee was, that no privilege at all did belong unto him, but that a warrant must be drew for a new election. The

1. Pym (4:392). 2. *Commons Debates, 1625*, 11–12.
3. *Commons Debates, 1625*, 14.

reasons of which were these: . . . The cases voucht were: . . ." Or as an excellent specimen of the diarist's compression of debate into compact analysis, notice a passage on June 21, 1625:[1] "Mr. Mallory. To petition the King . . . This motion Sir William Strode thought to divert by another . . . but the former was seconded by Sir Robert Phelips . . . The same opinion was confirmed by Mr. Solicitor, prosecuted by Sir Thomas Wentworth that a committee might be named . . . somewhat moderated by Mr. Alford and Sir George More . . . but directly opposed by Mr. Solicitor as different . . . Mr. Wandesford . . . altered the motion a little . . . but this was opposed by Sir Francis Nethersole and Mr. Mallett."

It is perhaps easier to see the likeness if one compares the events in a whole day. We shall not copy into this brief argument the text of an entire day, but we ask the reader, if he can find time, to read the proceedings for May 11, 1621, in our fourth volume,[2] and then to read the proceedings for July 7, 1625, in *Commons Debates, 1625*.[3] Will the reader note the arrangement, the headings and division into points, the survey of debate with particular attention here and there to a speaker? On July 7, 1625, early morning business, a bill and a motion for stay of suit, is handled with dispatch. The diarist then takes up Mr. Recorder's report from the committee for Montagu. "They found my Lord of Canterbury's answer . . . to consist of two parts" which are enumerated. The second book had "divers factious and seditious passages" specified under three main heads. "The first point . . . was instanced in two particulars" the first of which is stated with three subheadings followed by the second particular. Then "the second general charge . . . was delivered in four particulars," with classifications. "The third general charge . . . consisted in two points" which are stated. "Three points were ordered upon this report: 1. . . . 2. . . . 3.

1. *Commons Debates, 1625*, 7–8. 2. Pym (4:324–333).
3. Pp. 47–55.

. . . The first of these endured no debate. To the other two there was one common exception . . . but this was quickly suppressed . . . Those who would have diverted the second did it . . . But the weight both of number and reasons were on the other side. Some insisted upon the general ground . . . to which Sir Ed. Coke alleged . . . others, that we did not . . . others that it did sufficiently appear . . . and Mr. Whittaker remembered . . ." The debate on the third point ordered is then similarly explained. Coke speaks and the final decision of the House is given. At the end of the morning the diarist remembers that "the debate had been a little interrupted by a message from the Lords who sent back the bill touching alehouses." The afternoon session is introduced with "*eodem die post meridiem.*" The proceedings of the afternoon are recorded in a form corresponding to that used for the morning; but at one point in the afternoon, the diarist departs from general summary of debate and puts down several speakers in chronological order. On May 11, 1621, the diarist opens with the reading of a bill and then describes a case where privilege from arrest was desired. After a complaint about committees is disposed of, the House hears a petition about the borough of Minehead. "Mr. Noy delivered his opinion . . . but it was answered . . . and in maintenance of the right of that borough was alleged . . . and it was replied." Then "by occasion of Mr. Mallory's motion . . . Mr. Noy was commanded to make report" on alehouse recognizances. The report is then given at length and the reader will see how the diarist has carefully provided main heads, with enumeration of points. "After this report divers things fell into motion," Mr. Mallett speaks, "but others thought best in the relation to express the matter as it is . . . Sir Robert Phelips moved for a special committee . . . but in conclusion it was ordered . . ." Debate as to the clearing of Seymour is entered chronologically, the disposal of a mysterious letter is described, and Coke's report of the accommodation of the Floyd affair is set forth in "two general parts" with points.

The morning closes with a petition from Clement Coke "which upon the motion of Sir Edward Sackville and Sir Robert Phelips begat this order . . ." The afternoon is announced with *"eodem die."* The diarist attended the committee for the bill against tobacco. He numbers the chief items in the bill and tells what "was desired to be added."

The writer of the diary for 1621 and of that for 1625 is likely to quote those speakers whose arguments seem relevant rather than only those who were well known. If he diverges from a logical argument, he will often say so, as on March 1, 1624: "These reasons were propounded which are set down in that order wherein they were spoken, not in proper order of dependence." It was a masterly arrangement which was thought out later and with care. The devices of structure are consistent within the diaries of the three parliaments. There are no other diaries that bear even a resemblance to these three.

From the main structure we can carry the comparison no less strikingly to finer details. Throughout the three diaries there are certain telltale phrases. The mere words themselves may at first sight appear to the reader as common enough in any writer of the time. But when a fixed set of words and expressions appear in consistent juxtaposition and in certain special usage throughout several compositions, they are a give-away. The diarist was fond of the word *variety;* he would talk of *variety of speech, variety of debate, variety of opinion, variety of motions* or resort to an expression like *in this variety the House being like to be divided.* But we had best point out a whole series of his favorite phrases, such as:

these things were desired to be *added*
it was *added*
to which was *added*
Sir . . . *added* the *consideration*
he *added* the safety of . . . and *concluded* with *two motions*
he *concluded* with a *protestation*
in the *conclusion* he protested

Sir . . . introduced the business of supply *concluding* for two *points*
the unlawfulness of the grant was *concluded* upon these reasons
touching the manner he *propounded*
the way *propounded* for prevention was for
Sir . . . *propounded* a *doubt*
it was *propounded* by . . . *seconded* by
a matter *propounded* but not *concluded*
some *propounded to* send
divers exceptions were *propounded* which were *handled*
exception was taken that
two *exceptions* were *alleged* . . . a third *exception* was now *propounded*
the *exceptions taken* upon this report *were these*
the *aggravations were these*
the *observations* made upon his offences *were these*
the effect of which paper *was this*
the questions *were two* . . . the reasons of which *were these*
the *particulars* of the pirates *were these*
against these *points it was alleged*
against which were made these objections
against this bill *divers exceptions were taken*
against which Mr. . . . *alleged*
it was informed
in this matter was *affirmed*
for remedy of this it was *affirmed* that
all these *points* were *affirmed* by the House
Mr. . . . *insisted* upon four *points*
Sir . . . *insisted* upon three *heads*
Sir . . . *insisted* upon the inconveniences which *spring* from the usual facility of proceedings with offenders . . . to *divert* which Mr. . . . *remembered*
this was *diverted* by a *proposition* of Sir . . . to
whilst this cause floated in the *variety of debate* it was rather *diverted* than *determined* by
those who would have *diverted* the second
the *particular* reasons for the most part *springing* from these *grounds were these*
the matters had all *sprung* from

Sir . . . *recited* four courses
the other gentlemen . . . made no *recital*
some of which kind were *recited* by
Sir . . . made a short *recital* of the *heads* of the former speech, *applying* to every one
divers cautions were desired to be *applied* to this bill
the rest of the debate was long and promiscuously *applied to* one of these *points*
to apply these precedents in this case *was alleged* that
the conference was *generally yielded* but some *propounded* these two *cautions*
yet for more *caution* it was thought fit that
yet here a *caution was interposed* for
touching the first question Sir . . . *interposed* this *caution*
a message from the Lords *interposed* betwixt this and the *conclusion* of the question. *The effect of it was this*
the *interposing* of foreign princes . . . whereto
in the execution *were observed* these matters of fact
from whom issued these *observations*
in this *particular were observed* these *aggravations*
by occasion of this bill *it was observed*
wherein he *observed* five *circumstances*
the directions . . . rather *extracted* by his own *observations* out of the concurrence of opinions than framed . . . *were these*
after this the House *fell into consultation concerning*[1]
after this report *divers* things *fell* into motion
from this *point* they *fell into debate* concerning
the last *point fell* first *in debate*
it was moved we should *fall to draw* reasons
this *induced* two motions
some *exceptions* were made but of no such moment as did *induce* any alteration
the *inducement whereof*
to which they were *induced* by *consideration*
that order which hath *induced* double fees
this matter *gave occasion of divers* speeches
this *occasion drew on* other motions concerning

1. Cf. below, p. 54.

out of this cause did *arise* two *considerations* which *gave* some *occasion of* debate

Sir . . . had for his premises . . . *wherein he observed* the several *occasions*

it was *urged* that

the reasons and objections now *urged*

betwixt the three books there were *urged* three differences

Mr. . . . *urged* the hazard

grants were *distributed* into three natures

Mr. . . . *distributed* the question into three *considerations*

after an elegant preface . . . made a *distribution* of it into apt *heads* to every one of which he *applied* an answer

Sir . . . *distributed* that which he had to speak into four parts

two things were now proved by witnesses which *inclined* the committee

but the House did not *incline* to *alter* anything which was then *concluded*

the committee was *inclined* to the motion

debate wavered a good while . . . but the most were *inclinable* to

hereupon the committee *inclined* to order that

divers sorts of punishments were *propounded* . . . but the *inclination* of the House was somewhat *mitigated* by

Sir . . . *offered* two differences

and these *cautions offered*

Sir . . . *offered to speak*

to settle that *distraction* which appeared in the *variety of motions* . . . Mr. . . . *spake thus*

this unexpected message put the House in some *distractions* of *affections* and opinions

the House remaining *distracted* betwixt him and Sir . . .

the same day was by us *appointed* for ourselves

the question was *appointed* to be put

the Speaker was *appointed* to sit by

two other bills were *appointed* to be sat upon

in maintenance whereof it was affirmed

to which was replied

this objection *bred* some debate. It was *endeavored* to be answered two *ways*, by *allegation* of reasons, by *propounding* a

way of prevention of *mischiefs* objected. The reasons *were these:* that otherwise there would be no indifferency for the *exception was taken*

that it was like to *breed* long debate

this message *bred* some *doubt*

which would *breed* delay

which is an uncertainty and may *breed* disputation

Mr. . . . *labored* to persuade

Sir . . . did yet *labor* to moderate

this was *labored* to be *mitigated* by Sir

another did more honestly than *necessarily labor* with many reasons to excite

in *laboring* to discountenance . . . of which three *instances* are *produced*

in maintenance of the patent . . . was *endeavored* to be proved

which was *endeavored* to be *satisfied thus*

divers were afraid this motion might *put the House into some* such *heat*[1] . . . Mr. . . . *endeavored* to allay it by

a message from the Lords *signifying*

the first *yielded matter* of more debate

so there was more *variety of speeches* than of *matter*

that which was afterwards spoken was either to the *matter* or to the proceedings. First to the *matter*

the examinations were long in time but short in *matter;* the most effectual *points were these*

this report *yielded matter* of *observation* and *matter* of *direction*

a question *depended* concerning

bills that are twice read and *depend* on commitment

wherein he mentioned *divers* laws *depending*

because it was not of a bill *depending*

they heard we had a bill *depending* touching that matter

but the resolution was stayed upon two *doubts* of Mr. . . .

two *doubts* were made

doubt was made concerning

Mr. . . . desired the direction of the House in three *points whereof* he *doubted*

1. This passage comes from the 1624 diary, February 27. Cf. the same words in the 1621 diary, Pym (4:19).

because from this last business had *grown* some *doubts*
the bill . . . which upon the first commitment *endured*[1] much *debate*
after some small debate[2]
here will be the fittest place to *collect*[3] those *points* whereupon the proceedings were *grounded* which were *propounded dispersedly* at several times
the motives *dispersed* in several speeches are thus *collected:* that both points are truly *collected* and *handled* in the first
a committee was appointed to *collect* the reasons
in the consultation . . . the thanks agreed upon and *branched*[4] into six parts
the rest of the speech *consisted* of two *main branches*
Sir . . . reported the bill . . . which *consisted* of six *branches*

Except in the cases specified in the notes, at least one example from each of the three diaries is supplied for each important word in the above list. All these italicized words are characteristic, so characteristic that it would be foolish to mark some of them as more so than others. It would be possible to add many other phrases and variations of the above phrases which are the habitual language of the three diaries. Another man may use the word *propound,* for example. Wentworth does use it. But no other man used it as much as or in quite the same way as this diarist (or as John Pym in his speeches throughout his career). Other phrases can be found in other places, but not always in the sense in which they are applied in these diaries, and the complete series of phrases in their particular relationships cannot be matched elsewhere. There is nothing surprising about this. Each of us has language habits and those habits in any large body of writing give us away as much as handwriting. In the case at

1. This is selected from Pym (4: 357); there are other examples from the same diary, Pym (4: 141, 180). The same expression occurs twice in 1625. See *Commons Debates, 1625,* 51, 105.

2. *Commons Debates, 1625,* 18; 1624 diary, March 9 and April 1.

3. Selections of *collect* from 1621 and 1624 diaries where other examples are to be found.

4. Selections for *branch* from the 1621 and 1624 diaries.

hand the diarist by transposing the parliamentary debates into his own narrative structure employed a terminology natural to himself. The reader will notice in these diaries that the phrases from which we have made up the above list are taken exclusively from those used to link up paragraphs and arguments and to show the back and forth quality of debate.[1]

It is a temptation to insist further that the three diaries show a common kind of sentence structure and, more than that, a common rhythm. Compare the rhythm of the following sentence with that in the diaries: "The disorders and distempers of a commonwealth, by corruption in justice, by deceits or disadvantages in trade, by excess in luxury and in-

1. It is not to be expected that the three diaries would have a common spelling, since they are all copies. But they do show enough common characteristics in respect to spelling to lead us to suspect that the copies are not too far removed from originals. This cannot be said of the Winchilsea MS. for 1624. Although in the same clerkly hand as Winchilsea for 1621, it has been changed evidently much more than the manuscript for 1621. But the texts for 1621 and 1625 (as it is found in print in *Commons Debates, 1625*) show a number of spellings that are unusual and common to the two diaries. Here are some of the common spellings: *refer'd, instancst, falce, ieolsye, elce, safty, explane, fower, retorne, alleadge, dissable, conteyne, guift.* The diary for 1625 is given to spelling *prosecute* as *prosequute* and *execute* as *exequute.* We find the same spelling occasionally in 1624 and at least once in 1621. The diaries for 1621 and 1625 are fond of apostrophes instead of the letter *e* before *d;* they are likely to use *c* instead of *s* in such words as *refuse, infuse,* etc. It is notable that the 1621 diary had more odd and characteristic spellings in the last third than in the first part, as if the first part had been more copied. In the last part which would seem to be nearer the original spelling, the writer is fond of double *s* in words like *dissable, missinformed, dissorder, disseases.* The diarist in 1625 spells *Alford* as *Alphard;* the diarist for 1621 spells it in that distinctive way in the last part of the volume and once at the beginning. This spelling, by the way, we have never seen elsewhere.

We have suggested that the diaries may not be far away from the originals. It would be natural to suspect that Francis Russell's copy would have been made from a volume loaned to him by his intimate friend, John Pym. This is of course to anticipate the conclusion that all three diaries are by John Pym. But to anticipate that conclusion still further, the manuscript in possession of the Knightley family might well have been made from a copy loaned by Pym who in the years before the Long Parliament was closely associated with the same Providence Isle group.

ordinate expense they are soon discovered and by good laws and care in the execution of them may be certainly prevented."[1] Sentence structure and rhythms are dangerous matters to deal with and we shall not here attempt to prove such community of structure and rhythm. We shall merely ask any curious reader to look over carefully the diary for 1621 and then to look at Gardiner's *Commons Debates, 1625,* making his own observations. We do not know how to plot rhythms but we think we can detect characteristic rhythms in many places.

The reader cannot of course read the diary for 1624 until we shall publish it. Meanwhile he will have to take our word for the similarity of the diaries of 1621 and 1624. As it happens, the diary for 1624 is not necessary for the identification of the three diaries.

Indeed the diary of 1625, that edited by Gardiner, can be almost certainly identified by itself. The author[2] questions what was done on June 29 "when I was out of the House about framing the petition." Now the committee about framing the petition was made up of Coke, Edwin Sandys, Heath, Seymour, Rich and Pym.[3] Again in the same parliament the author questions what was done during his absence "being in a subcommittee with the Lords."[4] That subcommittee consisted of Coke, Heath, Recorder Finch, May (Chancellor of the Duchy), Rich, Edwin Sandys, Pym and Sir Francis Seymour.[5] It will be noticed that the common members of these two committees, upon both of which the author of the diary for 1625 says definitely that he served, are Coke,

1. *A Speech delivered by Mr. Pym, 1642.*

2. *Commons Debates, 1625,* 29.

3. *Journals of the House of Commons from 21st June to 5th July 1625 in the first year of the reign of King Charles the First,* 9a. This is an official reprint of a bit of Commons Journal which was discovered among the archives of the House of Lords in 1877. Copies of the reprint, a few of them, are to be found in the Library of the House of Commons and a copy is in possession of Wallace Notestein, given him by the courtesy of the Clerk of the Commons.

4. *Commons Debates, 1625,* 44. 5. C.J. 803.

Heath, Sandys, Seymour, Rich and Pym, i.e., the members of the first committee. It would indeed be unnecessary to bring in the second committee. The author of the diary was a member of the first committee and that means he was one of six men. From that we see no way out. It is easy to eliminate as possible authors of the diary five of these six men. Rich it was not. We have two of his diaries, that for 1621 and that for 1626, both in his own hand; we know his style, a very simple style and utterly different from the style we have been describing. Nor is the author of these three diaries Heath who served the King as well as he knew how and was one of those courtiers of whom the diarist disapproved.[1] Nor is it Sir Francis Seymour who is several times mentioned in the 1625 diary. The diarist tells us that Sir Francis "professed his former opinion against giving but without any new reasons."[2] Nor is Sir Edward Coke the author, whose style of talking and of writing is altogether too familiar to the editors and who could not speak or write without leaving his hallmark on every sentence. In one place the diarist records: "Sir Edward Coke (having spoken before, yet being permitted contrary to the orders of the House to speak again)."[3] On the 29th of June, the diarist for 1625 was absent all day[4] but Sir Edward Coke made a speech in the early part of the day and was named on two committees, one at the end of the morning.[5] It will be remembered that absentees were never named to committees except by special order of the House. Nor is it Sir Edwin Sandys whose many speeches in the Commons are well known to us and whose terse idiomatic English is to be seen in his *Europae Speculum*. The writer of these diaries was no one given to short words and old idioms.

1. *Commons Debates, 1625,* 33. See also his comment on Heath's manoeuvre, *ibid.,* 59.

2. *Ibid.,* 121.

3. *Ibid.,* 71.

4. "What was done the 29th of June when I was out of the House about framing the petition?" *Ibid.,* 29.

5. *Journals of the House of Commons from 21st June to 5th July, 1625,* 9a, 9b.

Furthermore it is difficult to believe that Sandys remained in attendance at the Oxford session yet never spoke and was never appointed to a committee.

In other words, even before we put aside the 1625 diary, we are reasonably certain that Rich, Heath, Seymour, Coke and Sandys cannot qualify as the author of the diaries, and we are aware that none of the objections which obtain against those five are applicable to the remaining member of the committee, John Pym.

But if we bring the diary for 1621 into the picture, which we have declared to be without doubt by the same man, we can arrive with assurance at the author. The author of the diary for 1621 says in one of the few places where he uses the first person: "The greatest part of this morning I was appointed to be at a committee for Sir Giles Mompesson's offences."[1] He records the meeting of that committee on the day before[2] and continues thus: "After we returned to the House . . ."[3] That committee is named in the Commons Journal for the 27th of February, 1621,[4] and is composed of twenty-two men. When the list of twenty-two is compared with the list of six men on the committee for framing the petition in 1625, we find only three names in common—Coke, Sir Edwin Sandys and Pym. We have already suggested that Rich, Seymour and Heath will not do, and now they are definitely ruled out. Of the three remaining, Coke it was not. His style is no more in evidence in the 1621 diary than it was in the 1625 diary. In 1621 the diarist on the afternoon of May 1st gives a full report of proceedings, in his special style, and Coke next day stated[5] that he had not been there. It would be easy to add illustrations of times when Coke was absent and the minutes of the diarist go right on. We have already noted the comment on Coke by the diarist in 1625.[6] Moreover the diarist of 1624 is obviously critical of Coke's

1. Pym (4:117).
2. Pym (4:115–116).
3. Pym (4:116).
4. C.J. 530.
5. C.J. 604.
6. See above, p. 41.

statements[1] and even of one of his reports. On the 22nd of March, 1624, after Coke had reported about the Morley case, the diarist remarks: "This report was mistaken for there was no such rejection." What about Sir Edwin Sandys? His style, as we have already said, is known to us from many speeches between 1604 and 1625. But there is a further reason for saying that he was not the author of the diary for 1621. At the beginning of the parliament, he did not appear in the House until the 7th of February, after he had been especially summoned, and could not have kept the opening days of the 1621 diary. He was absent from the sessions of the Commons in November and December and could not have been the author of a diary which covers that session up to the 28th of November. In the 1624 diary, on April 12, the diarist writes: "Sir Edwin Sandys made a report of the charge upon my Lord Treasurer concerning the new impositions, whereat I was absent." By the process of elimination we are forced back upon one author and that is John Pym. Once granted that the three diaries are by the same person, and we are willing to proceed upon that premise, there is no way out of the conclusion that Pym is the author.

There are other ways in which this method of elimination from two or more committees can be used, none of them so certain as the one about which we have been talking, but they all come out with John Pym as the author of the diaries. On June 29, 1625, Sir Henry Marten, Sir Robert Hatton, Sir Dudley Digges and Sir Thomas Hoby had been sent to the Archbishop of Canterbury to ask him what had been done about Montagu's book.[2] They had come back presently with a report that the Archbishop was ill and desired respite for a day or two. Two days later the same four (though Digges

1. See, e.g., Pym, 1624 diary, Feb. 24, where "Sir Edward Coke endeavored to answer this exception, but the House was not satisfied and therefore the bill was committed." See also the way the diarist reports Selden's correction of Coke's precedent on April 5.

2. *Journal of the House of Commons from 21st June to 5th July, 1625*, 9.

is not mentioned until they return) and John Pym are ordered to attend the Archbishop. They are gone most of the morning and come back with a statement from the Archbishop, which is read.[1] Now in *Commons Debates, 1625* it is reported that "Sir Dudley Digges and four others were sent to my Lord of Canterbury to know what his Grace had done upon the reference made to him by the House of Commons the last parliament concerning Montagu's book. They found him sick and upon his couch; but after they had delivered the message, the rest of the committee intreated Sir D. Digges to take his Grace's answer in writing as he spoke it, and the report thereof was now read out of that paper."[2] Then the report is given in full,[3] and the author of *Commons Debates, 1625* goes on to record the happenings in the Commons after the committee returned. He has recorded what was going on before they went out, he again records after their return, he has no record during their absence. His language sounds as if he were on the committee. Now the committee without Pym was out the day before. The author of *Commons Debates, 1625* tells us that he was out of the House on the 29th of June about framing the petition and puts down a query as to what occurred that day. If the author of *Common Debates, 1625* were on the committee on the 1st of July along with the other four, and not on it on June 29th, he must have been John Pym. Of course one could get at it another way by comparing the committee of six to frame the petition with the committee of five to attend the Archbishop and the result would be John Pym. There are other ways in which we can arrive at Pym. Take a committee where the diarist of '21 or '24 or '25 records the proceedings, take another recorded committee and perhaps a third, and you can come out with John Pym. The weakness of this method is that others than members of a committee might have attended and reported its proceedings. We have relied upon the method

1. *Journal of the House of Commons from 21st June to 5th July, 1625*, 11.

2. *Commons Debates, 1625*, 33–34. 3. *Ibid.*, 34–35.

of elimination only when the author expressly indicates that he was a member of a committee and that he was in attendance.

The danger of doing otherwise is shown by a case in 1624. The diarist in 1624 reports the meeting, on March 1, of a "subcommittee" upon which Pym had not been named as a member. On that afternoon the Committee of the Whole had met to prepare for a conference with the Lords about breaking off the Spanish negotiations. The Committee of the Whole resolved that a subcommittee of twelve should draw up reasons to be recommended to the Lords at the conference on March 2. Then the Speaker came to the Chair, and the House accepted the resolution of the Committee but appointed a select committee of twelve to meet presently and to carry out the assignment which the Committee of the Whole had intended for a subcommittee. The meeting of this select committee is inadvertently reported by the diarist of 1624 under the heading of "subcommittee." Just before, he notes that the committee had been appointed by the House after the Speaker took the Chair and the next day, when Sandys reports it, the diarist refers to it properly as a select committee. Pym, though no member of the committee, could attend and take notes, as did John Holles who likewise was no member yet reports for us the speeches in this particular committee. Committees which serve for the identification of a diarist, therefore, must be selected with caution.

So much for argument from committees. It would be easy, however, to point out verbal resemblances between the language used by the author of these three diaries and that used in other places by John Pym. In 1621 Pym was required by the King to furnish him with a copy of his speech on the 28th of November. That speech is recorded by Edward Nicholas as Pym "delivered it to the King." Glancing through it, one notices at once the particular rhythm and balanced sentence structure characteristic of the three diaries, corresponding phrases and combinations of phrases. A few examples are:

by occasion of
in which manner it was originally *propounded*
if in the *matter* itself or course of *handling*[1]
the *occasion* and *matter*
he *applied* all the *ensuing* reasons and discourses
the *distribution* was into *three parts*
your Majesty's *affections* might be *inclined* to
the *second, divers considerations offered* to
the *third,* some *means propounded* by which those courses
the *points insisted* upon in the *first part were*
we ought to *labor* for
so cherish and quicken our counsels and *endeavors* that they might *produce*
he was *induced* to think
yet sin *took occasion*
the graces then *recited* . . . *were five*
it was *observed* that
yet some cause of fear was *propounded*
some *occasions* might be *offered* to the advantage
the *inducement of which* fear *was thus*
it had been *observed* by some other members
in this place was *interposed* an humble request not to *conceive* that he did *affirm*
it had been *observed* the day before
from that *occasion* did *spring* this *doubt*
were *alleged these three reasons*
gave them *occasion* to question
it may well be *doubted* that
these impediments which are *interposed* to it
that upon all *occasions* contrary to their personal *inclinations*
yet their *endeavors* will rest
the use of that computation being thus *endeavored* to be cut off
some other *grounds* of *jealousy* . . . were *propounded thus*
the *state of* monarchy . . . doth *breed* . . . certain *inclinations* and *affections apt to* preserve
all princes do dislike that a subject should bear too great *sway*[2] in the *affections*

1. Cf. *handled* in Pym (4:119, 190, 236, 435) and *Commons Debates, 1625,* 69.
2. Cf. Pym (4:145, 162, 227, 287).

it was humbly *offered*
in the *third part* were *contained*[1] two *propositions*
did *labor* to advance

All these phrases appear in one not very long speech prepared for the King; all of them are familiar to us as the usage of the author of the three diaries.

If we go on to examine Pym's later speeches, as they are recorded in various places, we shall again find more of the customary words and phrases. In the parliament of 1626 Pym makes a long speech against Buckingham[2] in which he uses the following expressions:

labor to speak
I shall *apply* myself
therefore I will *insist* upon
produced a great grievance
I will *conclude* . . . that parliaments have *proceeded* in that course
for which I need to *allege* nothing else
this is the fittest law to *insist* upon
he would forbear to *urge* this *point* further
reduced to two *heads*
and so I *conclude* by prescription that
I am commanded further to *observe* another step
and I must here *observe*
the reason *is this*
and *labor* to hinder

From notes of Pym's report on Montagu,[3] April 17, 1626, we are supplied with the following:

the motives *inducing* the committee's care in this matter
stirrings in *point* of religion
the reporter represented two *cautions* from the committee under this *head*

1. In these later lists attention will be called to certain words, like this one, for which no examples were furnished from the diaries but which can easily be traced in the diaries.
2. Rushworth, 1 : 335–340.
3. S.P. 16/25 : 10, printed in *Commons Debates, 1625*, 179–186.

the charge *branched* into three *heads*
there are *divers* passages . . . apt to move
and to *incline* them
touching the first *head* of the charge there were *instanced* many *particular* passages
the contrary whereunto is *affirmed* by
it is *affirmed*
Montagu *affirmeth*
and in other *points*
wherein the reporter *observed* that
touching the *second head* . . . he reported three *propositions*
that under the name of puritans he *collecteth* the greatest part
endeavors by odious crimes to bring his Majesty in *jealousy*
the third *proposition* that Mr. Montagu *endeavors*
touching the *third head* of the charge
which *groweth*[1] these five *ways* by his *means* upon this *head*
the *points* of doctrine
the reporter *instanced* some passages
observations which the reporter said he was required by the committee to deliver
in *matter* of religion
aggravations upon the *heads* of his charge
in four particulars
labored to suppress
whereas the King in his monitory preface hath *spent* about 60 pages
he hath further in charge to *propound* some *points* for preparation
the Speaker after a brief *recollection*
two *general heads*
upon the debate of these heads there were several opinions
some conceived that the matters
the effect of his answer was
that what was *collected* sparsim he might answer out of the whole context
certain interrogatories to be *propounded* to him
some conceive . . . others conceived

1. The diarist sometimes uses expressions like *a question grew*. Pym (4: 62, 143).

but one affecting . . . to be singular began *to this effect*
as to be especially *observed* therein
we are *diverted* from our right course
in *conclusion* it was ordered by question

In 1628 in the speech against Mainwaring,[1] we note the following phrases:

he *propounded* to *observe* that order of parts
the preamble *consisted* altogether of *recital; first* of the *inducements* upon which
it was *observed* by the best writers
he would not *insist* upon any of those *points*
important *occasions* of this time
he *propounded* these steps by which he meant to *proceed*
to *observe* these *circumstances* of *aggravation*
to *propound* some precedents of former times wherein
the parliaments are *apt to produce* sundry impediments to the just designs of princes and to *give* them *occasion of*
for proof of all which he *alleged* two places, *containing* the two first of those six *considerations,* which are *propounded* by the Doctor to *induce*
distractions and distempers between king and people
and *so* he *concluded* this third article
the limitations . . . were *propounded to be three*
to these were *offered* three answers
the *circumstances* of *aggravation observed* to be annexed to this cause *were these.* The *first from* . . . The *second* was from the *consideration* of
but he had *endeavored* to sow strife
a third *point* of *aggravation* was drawn
and in answer . . . were *alleged*
it was *secondly observed*
from this place he *took occasion* to make this short digression
the last *aggravation* was drawn
of such nature as to be *handled* . . . and *so he concluded* that *point* of *aggravation*
to these temporal precedents of ancient times which were *alleged he added*

1. Rushworth, 1 : 595–604.

from these precedents he *collected*
which might *produce* true *occasions* of discord
and so he concluded

In the Short Parliament Pym made a speech on the 17th of April, 1640,[1] in which these phrases occur:

which grievances may be *reduced* to three *heads*
I will first *propound* and *secondly* show . . . and *thirdly*
but it is to be *observed*
wherein I will first *observe*
I *observe* as a great grievance
some things are *urged* by ecclesiastical men
which book I may *affirm*
if therefore any shall *endeavor* to defend
as I may *instance* in the Court of Star Chamber advancing and countenancing of monopolies
breed jealousies in the minds of many
one summer's distempers would *breed* great change
by the occasion of such breaking of their laws

During the Long Parliament Pym made many speeches and we cannot do better than to lump more or less chronologically some of the phrases he used, as follows:

I[2] shall *endeavor* to *apply* a remedy to the breaches
there are *divers that concur*
by these means they *propound* that he gets more
and did not all these distempers begin by *endeavor* of innovations
divers[3] pieces of this main work have been already *propounded;* his *endeavor* should be
for the better perfecting whereof he *propounded* three main *branches* of his discourse
in the first . . . he would *offer* them the several *heads*

1. Rushworth, 3: 1131–1136.
2. *Speeches and Passages of this great and happy Parliament,* London, 1641, 458–500; Wallace Notestein, *Journal of Sir Simonds D'Ewes,* 8 n. 36, 9 n. 57 and n. 65.
3. *A Speech delivered in Parliament by a worthy member thereof,* London, 1641.

in the *handling* whereof he promised to use such expressions as might *mitigate* the sharpness

he said the things which he was to *propound* were of a *various* nature, many of them such as required a very tender and exquisite *consideration,* in the *handling* of which, *as* he would be bold . . . *so* he would be

the *particulars* mentioned *are these*

he *propounded divers particular points* wherein

thus he *concluded* the *first sort*

having dispatched these *several points* he *proceeded* to the *third* kind of grievances . . . he had many to *propound* in doing whereof he would rather *observe* the order of time wherein they were acted than of consequence

he *observed* that those kings

he came to the *second main branch propounded*

those courses which are *apt to produce* such distempers in the state

this charge[1] . . . is *distributed* and conveyed into fourteen several articles

in causes *depending* before him

and herein your lordships may *observe* that those who *labor* in civil matters . . . *endeavor* to set themselves

there being *divers* hundred complaints there *depending*

they *labored* to establish

and thereby hath *labored to bereave* this kingdom of the legislative power

you have a *division endeavored*

he hath endeavored to bereave us of[2] the highest judiciary

labored to corrupt

hath[3] *endeavored* by his words

that which is given to me in charge *is*

1. *Speech or Declaration of John Pym . . . against William Laud.* Also Rushworth, 4:199.

2. Cf. these same words in Pym's speech against Shepherd in 1621 (Pym, 4:63); "to bereave the King of the glory of his goodness" from *Two speeches made by John Pym, the one after the articles of the charge against the Earl of Strafford were read; the other after the articles of the charge against Sir George Ratcliffe were read,* London, 1641.

3. *Speech or Declaration of John Pym upon the whole matter of the charge of high treason against Thomas, Earl of Strafford, April 12, 1641,* London, 1641. Also printed at end of *Speeches and Passages.*

I shall *endeavor* to show in some *considerations*
the first is this
and in these *particulars* is *determined* the first *consideration*
the second *consideration is this*
it is *apt to cherish*
that his name should be *applied* to patronize
and yet I may upon very good *grounds affirm* that
another way of prejudice . . . *is this*
are *apt to produce* such miserable *distractions* and distempers
and by his wisdom and authority so to *incline* and dispose the affairs
gallant *affections* . . . they are hardly capable of
nothing can be *alleged in maintenance of* it
more *inclinable* to a change
the *distractions, divisions,* distempers which this course is *apt to produce*
endeavored to be brought into England
the seventh *is this*
apt to *induce* . . . insolencies
whereof divers particulars have been mentioned
he *labors* to interest your Lordships . . . by *alleging* . . . *To this it was answered*
another excuse *was this*
where the matters *propounded* are evil
the answer is this
upon the saving *offered* to be added to
the *allegation* of it is an *aggravation*
this counsel was *propounded* with *divers limitations*
he *allegeth* they were but words
these excuses have been *collected* out of the several parts
which is a *circumstance* much *aggravating* his offence
I[1] *concluded* to declare myself in this matter
and whereas some will *allege* it is . . . *to that I answer*
the[2] first *head* . . . several *particulars*
this is *seconded* with *divers* reasons
that some bills now *depending* in parliament whereof *divers*

1. Rushworth, 6: 376–378.
2. *Ten propositions delivered by Mr. Pimme from the House of Commons to the House of Lords at a conference, June 24, 1641.*

2 *branch*
the fourth *head* . . . which *containeth divers particulars*
fourth[1] step, that these ill counsels have *proceeded* from a spirit and *inclination* to popery and have had a *dependency* on popery
the[2] petitions which I am directed to communicate . . . *are four* and in these four you may perceive the *effect and sense* of all: *First* . . . and then I shall *pursue* my instructions in *propounding some observations* out of them
in these you may *observe* the groans
divers reasons may be given
who under his Majesty bear the greatest *sway* in government
whereby it was *diffused* and *dispersed*
it is *apt to* take in
I shall *take occasion* from several *branches* of those petitions . . . *to observe*
the *variety of dangers*
according to *occasion* and advantage
and if their private differences should be *composed*[3]
endeavor to incite
the *first* danger *is* . . . *another* danger *is* . . . a *third* danger *is* . . . a *fourth* danger *is*
the distemper which hath *produced* these dangers is *various*
some of the chiefest . . . I shall *endeavor* to *remember*
as in these great *distractions*
in the midst of many *distractions* and *diversions*
what *endeavor* we have used
we have exceedingly *labored*
their *inclination* . . . to serve
I have now come to a *conclusion* and I have nothing to *propound*
because[4] it exceeds others in *divers considerable circumstances* of it

1. *The Substance of Mr. Pymmes Speech to the Lords, Nov. 9, 1641.*
2. *A Speech delivered at a conference with the Lords, January 25, 1641 [1642] . . . by John Pym.*
3. Cf. Pym (4:359).
4. *A discovery of the great plot for the utter ruin of the city of London and the parliament as it was at large made known by John Pym on Thursday the eighth of June, 1643,* London, 1643.

two others may be *added*
observe first
secondly, the *variety of propositions*
thirdly, the *degrees* of proceeding
they *fell* presently *into consultation*[1] how they might compass their end
the *first step* in their preparation *was* . . . *their next was*
having laid these grounds,[2] I shall in the next place discover to you
the *first sort* was some members of the city *whereof there were divers* . . . and the *next was* . . . and the *third sort was* . . . then a *fourth sort was*
to other places where there should be *occasion*
the *first was* of combination . . . and the *second was*
which I shall now *observe* to you
the *first step* that came into action . . . *was*
endeavored to obtain
this being done now and *propounded* by the citizens on their part *so* Master Waller *propounded* from the Lords *divers* queries
they had Blackheath in *proposition* but they did refer the *conclusion* of the place to the Lords
the *answer was*
to that it was answered
they could *conclude* nothing in that *point*
to that they made this answer
after these queries were *propounded* and answered
being *proceeded* thus far, they came to some *propositions* . . . and *they were these*
the *second was*
there is no *congruity*[3] with the will of man
and then were to be *dispersed*
these were the four *points* upon which the message did *consist*
Master . . . broke out with a great oath to *affirm* that
the proofs and confessions out of which this narration doth *arise*

1. Cf. Pym (4:281).
2. Cf. *Commons Debates, 1625,* 77, 85.
3. "For the congruity of time it was observed that," in 1624 diary on March 3.

and what else is in *proposition* to be *offered* to you from
I am to deliver to you some short *observations* upon the whole matter . . . and to *conclude* with . . . The *observations are these: First* I am to *observe* to you the contrariety betwixt the pretences . . . and the truth; *one* of the pretences *was* peace, *the truth was*
a *second observation is this* . . . The *third observation is this* . . . The *fourth observation is this* . . . The *fifth and last observation* I shall make to you *is this* that this *matter* was *prosecuted* in part and agitated and promoted by
this is all I shall trouble you with *by way of observation*
the *matters* resolved on . . . *are these things: First*
the *next* thing resolved on *was*
it was *likewise resolved*
it is *further resolved that*
that which is *appointed* for them

It would be possible to find many more verbal habits of John Pym. We have been at pains to select typical phrases from his known speeches. With these the reader can make his own comparisons in the Winchilsea diary for 1621 or in *Commons Debates, 1625*. It will be seen that Pym still has even in the Long Parliament and down to the last year of his life many of those traits of language which characterized his speech nearly a score of years earlier.

We submit lastly not what is the strongest argument but the most interesting. Either out of modesty or from fear of what might happen afterwards, the author of the 1621 diary when he gives the speeches of John Pym leaves out the name of the speaker. If Pym's speeches are in the give-and-take of debate, their substance will be found in the summary of points for and against the measure. In one case indeed what purports to be a summary is really only Pym's speech. But it is not so much in these short speeches as in the long speeches of Pym that the silence of the diarist becomes emphatic. On the 15th of February, 1621, Shepherd had made a bitter attack upon the puritans, which roused the fury of the House. On the next day John Pym, not yet an important member of

the House, made a carefully considered speech, his first so far as we know in the Commons and one that displays the particular quality that is to be found in all the other speeches he ever made. Not one of the large diaries omits this speech or fails to assign it to Pym, save the author of the 1621 account about which we have been talking. In Commons Journal five inches is given to the speech. Yet the author of this diary, although he supplies the speech at full length, begins by saying mysteriously: "He that spake first began thus." On February 27 Pym makes another important speech, this time about Mompesson and concealed lands, a subject upon which his own experience in dealing with casualties and crown forests provided him with some special knowledge. In our diary that speech is recorded in great detail; it is recorded, and that briefly, in but one other diary[1] and in Commons Journal.[2] But our diarist begins: "By occasion of this report further information was given concerning his grant of concealed lands in this manner." Twice he uses the first person: "This moves me to remember you" and "These particulars I desire may be referred." Little importance can be attached to this use of the first person; although diarists usually report in the third person, sometimes they shift to the first person in the midst of a speech. What is interesting is that another important speech by Pym is reported in the Winchilsea diary without mention of the speaker.

On the 13th of April, at the recess committee, Pym reported from the subcommittee appointed to look over the records of the prerogative court on the Hill case.[3] Our diarist says: "From the report of the said subcommittee these observations were extracted" and goes on to give the substance of Pym's report, but without mentioning the reporter.[4] On April 20, the Bennet case was discussed at length; towards the close of the debate Pym made one of his long speeches, a speech recorded at large by Barrington, X,

1. Smyth (5:260).
2. C.J. 530.
3. Smyth (5:330).
4. Pym (4:223).

Belasyse and Nicholas.[1] Our diarist gives half a page to the whole Bennet discussion, summarizing briefly. He mentions no speakers but satisfies himself with the phrase: "Although others were of the opinion that." On the 28th of April there was a bill read touching courts leet and courts baron to be kept within the barony of Malpas in Cheshire. Pym and Noy spoke against the bill, but their speeches against this private act were noticed only by Nicholas[2] and by our diarist who presents the arguments at length but without assignment to speakers.[3] On the 16th of May Pym made a short speech on the matter of the Warden of the Fleet, which Barrington records,[4] but our diarist says:[5] "But it was replied that the offence of Floyd was not referr'd but left to the Lords." Two days later Pym earnestly opposed the delivery of Floyd's trunk to the Lords,[6] and our diarist puts down the speech in this way: "Against the delivery of the trunk were these objections," and then proceeds to give in detail the three objections that had been raised by Pym, adding at the end, "notwithstanding the House ordered that the trunk should be delivered."[7]

On the 27th of November the diary says: "After whom by another were proposed these points"; the other was John Pym in a long, important speech.[8] The next day, when Phelips "concluded with a motion for a subcommittee to frame a petition to his Majesty," our diary continues: "It was replied by another that it was not yet ready for a subcommittee,"[9] and the other was John Pym. Now this was Pym's greatest effort in the parliament, a speech to which the X diary devotes three pages. It is interesting to note, or as Pym would say, to observe that, although our diarist merely says "It was replied by another," he starts out to give the speech more fully than it is given in any other account but

1. Barr. (3:30); X (2:303); Bel. (5:83); Nicholas, 1:283.
2. Nicholas, 1:344.
3. Pym (4:271).
4. Barr. (3:275); C.J. 623.
5. Pym (4:356).
6. Barr. (3:287–288).
7. Pym (4:361).
8. C.J. 647.
9. Pym (4:447).

stops before the record is finished. This speech, it will be remembered, was that one which brought a demand from the King that Pym should send him a copy. Pym seems to have absented himself from the felicity of parliament a while in order painfully to prepare the speech for the King's eyes. In the introduction to the version of the speech which he presented to his Majesty, he told the King that it was "impossible for him absolutely and precisely to perform because he had written no part of that speech before he uttered the same and had not any notes or memorials thereof, but such as were retained in his mind."[1] Two statements of Pym it is not easy wholly to credit, and the first is that he made no notes in advance. There is not a long speech by Pym that does not show close preparation. It happens that there was not long ago in a bookseller's shop in London the evidence that one of Pym's speeches in the Long Parliament was written in full notes in advance. His other statement that he had no notes or memorials is possibly true. He wrote his notes a good while after the events, and he may well have ceased writing when the command came from the Lord Treasurer and the Chancellor of the Exchequer to forward his speech. He stopped the record of his speech one third of the way through, and having stopped there, discontinued the diary.

Our diarist, therefore, persists in crediting all these several speeches by Pym to "another" or uses some such periphrasis to avoid mentioning the author. He is not shy about naming any other member of parliament and in the case of long and important speeches he ordinarily designates the speaker plainly enough. Even in summaries of debate he will sometimes use a short phrase to indicate who was responsible for the words.

In the diaries of 1624 and 1625 there is no longer that self-conscious concealment which amounts to a clue. Six speeches by Pym recorded in Nicholas' account of the Com-

1. Nicholas, 2: 230.

mons in 1624 are ignored by our diarist.[1] In only one of those cases is the point made by Pym even alluded to in the text of our diarist, and then,[2] with the vague words: "It was desired that." The 1624 diarist will give the gist of speeches by men who preceded and followed Pym, yet will ignore his speeches as if they had never been. But three times, on the 23rd of February, the 12th of March and the 9th of April, the diarist refers to the Chippenham election case in the Commons. He alludes to the candidates involved, one of whom was Pym, but calls him merely "Mr. P."

The story of the diary for 1625 is much the same. On June 21 and 23, July 4 and August 8, Pym made motions or speeches which are left out of *Commons Debates, 1625*. Only once in the 1625 diary is Pym named, on August 9, when "Mr. Pym reported that which was delivered by my Lord Treasurer in this manner." But there is an interesting allusion. On the 24th of June, the Committee of the Whole for religion appointed a large subcommittee to draw up articles.[3] The diary for 1625 notes on June 25[4] that a subcommittee was appointed. "That subcommittee sat the 25 of June and then adjourned to the 27th, where they appointed Sir Ed. Sandys and Mr. P. to reduce all that had been propounded to certain heads, distinguishing the matters fit for our petition to his Majesty from other points which could not be redressed but by bill." The diary goes on to give the first form of those articles. The editor, Gardiner, has printed it *Mr. P[ym]*, adding in a footnote: "It can hardly be anyone else." Gardiner did not then have, from the new fragment of the Commons Journal, the names of the subcommittee from which Sandys and Mr. P. were drawn. There are three names on that subcommittee with initial P, Sir Robert Phelips, Sir

1. Feb. 25 and 26, March 1, 19, 20 and 23.
2. Feb. 25, 1624.
3. *Journals of the House of Commons from 21st June to 5th July, 1625*, 6.
4. *Commons Debates, 1625*, 18.

Guy Palmes, and Mr. Pym. Phelips and Palmes may be excluded as knights. Mr. P. must have been Pym, as Gardiner surmised. The author of this diary is doing what the author of the 1624 diary did, alluding to himself as Mr. P. We may remark, after having discussed at length Pym's verbal habits, that the articles the subcommittee drew up show much of Pym's language. It is not all Pym, but much of it is.

Some years before 1872 John Bruce saw the Knightley MS. at Fawsley, commented on the diarist's references to himself, and wrote:[1] "I conclude that the writer was a person known in the House to be interested in the religious questions of the day and probably on the puritan side. I have not observed anything which indicates his name, but I dare say it might be inferred from careful consideration of the whole MS." Gardiner himself, when he later edited the manuscript for the Camden Society, refrained from expressing any opinion as to authorship. He probably had his suspicions but with many historical tasks on hand was more concerned with other matters.

It is hard to say when Pym put together his diary of the House of Commons for 1621. As we have remarked, Pym's friend, Francis Russell, owned a copy the first part of which was made by himself and the rest of which had notes and marginal outlines by him. In those notes he refers to the Petition of Right which establishes a date after which he probably had the copy made.[2] Pym himself in his diary for 1621 refers to his diary for 1624[3] but that reference may have been put in after the diary was prepared. It is plain that Pym wrote his account some time after the events, possibly from notes made at the time. In one place[4] he speaks of the controversy between the Master of the Wards and Sir Edwin Sandys "which had greater effects after the adjournment." On April 30 Pym tells of a message sent to the King and adds:[5] "purpose of proceeding left indefinite till we should

1. *H.M.C.* 3:254.
2. Pym (4:308 n. b).
3. Pym (4:433).
4. Pym (4:399).
5. Pym (4:281).

hear from him which we never did." The Commons did hear from the King on the first of May, but what Pym means is that the King never did anything. Such a remark was evidently made a good deal later.

Pym is constantly putting in directions that such and such proceedings will be included later when a report on a subject is made. In the reports of the alehouse grievance, as early as February 21 Pym refers us to Noy's report on May 11.[1] That he must have had full notes on which to draw goes without saying; that such notes must have been taken in orderly fashion with an eye to the main arguments presented must be assumed, unless we suppose him to have had an extraordinary memory for the course of an argument. Occasionally there is evidence, as on May 15,[2] that Pym's fuller account rested pretty closely on his first notes. Brooke on that day spoke just before Pym, who is reported by Barrington; Noy followed Pym. Pym's account notes Brooke's speech in one short sentence and gets only the last part of Noy's speech, a perfectly natural failure in one who had taken the floor himself.

Pym's comments upon the sessions of the Commons have a formality that is in keeping with his prose. He never smiles and yet he comes close to doing so. He writes, on February 12, 1621:[3] "Most of the day was consumed in this debate, new propositions producing new exceptions, and every man being more fortunate in overthrowing another's opinion than in fortifying his own." On the 5th of May, 1621:[4] "Sir Edwin Sandys labored to supply the defect of our precedents by the access of reason [Coke had been speaking] . . . but he quickly betook himself to an easier task in commending the zeal of the House in their tender apprehension of this injury to the King." The Commons, it will be remembered, had involved themselves in a tangle about Floyd, and the judicious Sandys was unable to do much even by access of reason. If Pym is seldom humorous—humor was rarely noticed either

1. Pym (4:89).
2. Barr. (3:264); Pym (4:349)
3. Pym (4:40).
4. Pym (4:313).

officially or unofficially in the House of Commons at that time—he can make sly and almost acid remarks about what was happening. We use a few quotations from his diary for 1624. "There[1] ensued many other speeches, most men being desirous to show themselves in a plausible matter [manner], yet not altogether without variety of opinions. . . . Another did more honestly than necessarily labor with many reasons to excite us to the assistance of the Low Countries. Some were entangled in the consideration of the general poverty and want in the kingdom. One was so transported with an imaginary success of the war as to hope that with an army we might pass through Spain and fetch the Infanta, which was presently answered with a negative acclamation of the House, No, No." In discussing the speech of the Duke of Buckingham on the 24th of February, 1624, Pym says: "The whole relation was sprinkled with some glances of taxation upon the Earl of Bristol and of insinuation of his own merit." On November 27, 1621, when things were growing tense, the Chancellor of the Exchequer spoke and Pym says that he went through his part "with more elegance than I will undertake to describe."[2]

That Pym could summarize arguments as few recorders of parliamentary minutes at any time is a safe statement. His journal is often extraordinarily compressed and logical. He has no pen for those who do not advance the argument. The arguments are massed like heavy battalions fronting one another. Nor does he forget to picture the emotion and excitement in the House. What he does leave out is racy idiom and interesting expressions of the speakers.

The Belasyse Diary

THE Belasyse manuscript, printed in the fifth volume of this work, is now at the Huntington Library in California. One of the editors sought to buy it from Robinson

1. March 11, 1624.

2. Pym (4:444).

then at Newcastle but the Huntington Library authorities were ahead of him and procured the manuscript. Those authorities gave us permission to photograph the manuscript and to publish it. We have referred to it as the Belasyse manuscript because it came to Robinson from the papers of the Belasyse family at Newburgh Priory in Yorkshire. At the beginning of the diary on a loose page is written "Lord Fauconberg his Booke, 1678." Lord Fauconberg in 1678 was Thomas Belasyse, Viscount Fauconberg, and later Earl Fauconberg. He was the grandson and heir of the Sir Thomas Belasyse who sat for Thirsk in the parliament of 1621 and who was later created Baron Fauconberg and then Viscount Fauconberg. We should have been glad to be able to state that the Sir Thomas Belasyse of the 1621 parliament kept the original notes of this diary but there is no evidence to prove or disprove such a statement. It must always be remembered that the elder Sir Thomas Belasyse who sat in 1621 might have had the notes of some friend copied for his own use.

Yet we can hardly resist the temptation to examine the possibility that Sir Thomas Belasyse of the Commons in 1621 made the notes. When we look at the speeches of that worthy as recorded in the various diaries, we observe that the author of the diary which we have called Belasyse is taking notes on each occasion but omits the speeches of Sir Thomas, except part of a speech on March 23. That would be natural if he were the author of the diary. In general the keeper of a parliamentary diary is rather likely to leave out what he himself has said and often what was said just before and after. If Sir Thomas had made the diary he might have given himself away by his interest in the speeches of his neighbors, other members of parliament from Yorkshire. We find that members from Yorkshire such as Calvert, Wentworth, Brooke, Hoby and Mallory are frequently mentioned by the author of Belasyse as speakers. Askwith, Abbot, Hutton, Cholmley, Bowes and Lister, other Yorkshire members, are not mentioned as speakers. Abbot and Bowes, however, made their speeches when the author of Belasyse was not

present and Askwith, Hutton and Cholmley spoke so little that the failure of the author of Belasyse to record what they said means little. As for Lister, he made eight speeches when the author of Belasyse was in the House and received no notice from that recorder.

We have proceeded further in our search for the possible author and examined the three or four private bills mentioned by the Belasyse account in the hope that they might reflect a special interest in Yorkshire. In one case the author outlines the contents of the bill for the river Ouse. We watched for reports of the Lepton matter which would naturally concern Yorkshiremen and were glad to observe that the Belasyse diary is the only one to record in detail the proceedings of the committee on the Lepton business on May 4.[1] Again on May 7 the author has a report of that business and an unusually good one.[2] It is less significant but worth attention that on November 27, when X and the Clerk of the Commons put down Mr. Solicitor as the maker of a speech which ought to have been attributed to Shilleto, a member for Pontefract, the author of Belasyse has the name right. Items of less importance also point to a Yorkshire interest upon the part of the author of Belasyse.

Certain other notes give possible clues as to the authorship of the diary. The author recorded fully what no other diarist put down, the proceedings of the committee on the private bill for Thornbury and Oldbury, Gloucestershire manors. There was a large membership on that committee,

1. Pym does summarize the meeting later.

2. On this day Belasyse reports Rolle as saying about the Lepton patent: "It is a grievance because tending to a monopoly. For by the same reason the sole making of bills in Chancery, etc., may be granted to one and so men inforced to go to him with his evidence and secrets of the cause whom he would not trust." In 2 Rolle, *Abr.* 214 we read: "Ceo est un void Patent et un grievance, car ceo est un Monopoly, car per mesme reason per several Patents le sole fesans de Bills et Declarations poient estre limit al certein persons en chescun Court de Westminster . . . et son Patent adjudge un grievance, car est encounter reason que chescun ferra compel a monstre son evidence al un home, et sur crosse bills il avera le view de les Evidences d'ambideux parts que nest reason."

thirty in all, not one of them by the way from Yorkshire. But there are many ways in which a Yorkshireman might have been interested in a bill about Gloucestershire manors. Or what may be another ray of light on the authorship is found in March 5 in connection with the reading of a private bill for Burlamachi. The author of Belasyse tells us a bit about Burlamachi's ancestry, facts which may have come from the bill itself, but facts which proved interesting only to the author of Belasyse and to none of the other diarists. In another note, supplementary to the Magdalene College petition on May 4, the author of Belasyse may be giving us a hint that he had been a good friend of the rich Sutton. He writes: "Note that the Chief Justice and another did certify the King upon a reference made unto them that the foundation of Sutton's hospital was void and I think the grief of it killed him."

In some places the author of this diary makes comments which serve not at all to identify him but may nevertheless be an indication of his opinions. He remarks after the conference between the Lords and Commons on May 7 that the Lords seem to go away unsatisfied. Another comment that appears to be by him is interesting:[1] "London keeps us under foreign commodities not a jot cheaper." About the Clement Coke-Morison episode he seemed to believe that Morison should have had some punishment.[2]

It is not a reliable method to judge of a man's interests by what he chose to record, yet it is a method not to be dismissed especially when a diarist does not choose to give himself away otherwise. The author of Belasyse follows the bill for free buying and selling of wool and other bills relating to the cloth trade. On March 5 he records a committee meeting for the bill for buying wool that is not reported elsewhere except for a brief notice in Nicholas. He is sharper on legal points than some of the other diarists and manages throughout to keep track of complaints against Chancery and other courts.

1. Bel. (5:172). 2. Bel. (5:160).

Someone who used the diary, and probably at an early date, made checks against such passages. The author of Belasyse is interested in the debates in November and December about England's policy in respect to war and foreign affairs. On that subject he reports almost as much as any other diarist save Barrington for November. He is not so much concerned with economic questions, with the great depression and scarcity of money. Wool was the aspect of economics which caught his attention. It is for the earlier part of parliament when debates on trade were in progress that the author's notes were most deficient, possibly merely because the pages of notes were worn and torn. The details of many grievances he found it hardly profitable to relate. The Coke-Morison business received less notice in his diary than in others.

The author of Belasyse is particularly good at recording the content of measures. Like Nicholas he has the gift of getting at the main principles of bills; like Pym he has a talent for putting down salient features of a debate. In certain places his account is of great use, as on the 30th of April. Barrington is missing for that date. X, if we had to rely on it, would be of little help; a great section of Pym (Ingram's report) belongs on the 28th. The author of Belasyse supplies ten pages of pretty solid account. He is about at his best in reporting Sir Edwin Sandys' speech to reject the bill against charges for poor relief. With speakers all through the diary he is given to playing favorites. Coke in particular, Edwin Sandys, Phelips, Nathaniel Rich, Crew, Alford, Calvert, Noy, Hakewill, Sir Thomas Wentworth and a few others are the men he prefers to quote, and in that choice he cannot be regarded as undiscriminating.

He was nearly always late in turning up at the House; either that, or he was slow to begin his account. It is often at the second or third bill or even later when a report from a committee is being offered that he starts his record. He is absent or at least made no record from December 7 to December 10; but it may well be that the folios of the original

were missing for those dates. That the author worked over the last part of his diary after the dissolution of parliament is indicated by the fact that in December he makes several references to the "printed book,"[1] alluding to the King's declaration that was published shortly after the parliament ended. But there is no evidence that the diary as a whole was revised by the author.

It may be remarked that the author of Belasyse had an ear for rhythm. All the way through the diary he is putting the words of the speakers in good rhythmical prose, a prose even better than that used by Pym. On March 15 when he translates Vergil[2] and on November 26 when he quotes a couplet,[3] he is careful to get the metre and rhyme right. He was probably a man who knew poetry. He was moreover a man who had a notion how to put together a sentence as the pen made its strokes and who knew how to combine the parts of a sentence in an easy, straightforward, flowing fashion.

We are not aided in our search for the author of Belasyse by the Huntington MS., for it is a seventeenth century copy and, we may assume, a copy of the original diary. The Huntington MS. appears to be an orderly account in a neat hand; it has none of those crossed-out words and changed passages that are bound to occur in notebooks filled out in the House. A survey of our printed version, particularly for the days down to the Easter recess, will show the reader the disorder which prevailed in the diary as presented in the Huntington MS. We have had to transfer much of the material from one place to another in order to restore it to chronological arrangement by days. It seems certain that the original notetaker could have achieved this disorder only by keeping his notes on odd bits of paper and then copying them into a permanent notebook without regard to their sense or chronology. That is not true, however, of the whole diary. Once we extract the material that is misplaced, we find that from March

1. Bel. (5:232, 240, 241).
2. Bel. (5:42).
3. Bel. (5:213).

2 and particularly from April 17 on, the account proceeds methodically and appears to have been assembled in a notebook with the continuity characteristic of such reports. It is the first part and the first part alone of the diary which has to be remade. While we make transpositions of material from the later dates to the earlier, we have almost no shifts to make from the front to the later part of the diary.

It seems reasonable to guess, after a careful study of the strayed passages, that the original notebook as it was kept in the House suffered from wear and mutilation. Some of the leaves of the early part became detached and so lost, perhaps some were torn and only scraps of them were left. Others that were loose may have been thrust into the back part of the book which still remained compact. The copyist when he came to his difficult task entered the earlier proceedings as he found them, in all their chance disorder, perhaps fitting in torn scraps wherever there seemed to be space. If he had misgivings, he kept them to himself and did his best to conceal the chaos. As he proceeded towards the later part of the diary the copying went on smoothly enough except for those occasional loose folios from the front of the book which he found thrust into the back. These he seems to have entered either where he found them or else at points where blank folios occurred in the original diary. For instance we find stray material that belonged on February 12 and 13 innocently attached to the end of the proceedings on May 18 when the House adjourned for the Whitsun holidays. There the original diarist may have left a blank folio or so, and the copyist appropriated the space. He found a similar opportunity following the entry of the declaration by the House in December.

To explain the migration of these passages would require a technical discussion. With that we do not feel justified in worrying the reader. While it might enlighten him about the tribulations of the copyist, it tells nothing about the author. Suffice to say that the misplaced material seemed to

us significant when we found that it could be measured roughly into blocks of proportionable length. The relative length of such inserted passages is always so proportioned as to suggest the amount of writing on one or both sides of a folio of the original manuscript. There is also now and then in the midst of otherwise unimpaired material an intimation of a missing folio. For example on April 18, in Coke's report on grievances, we read: "Sir John Keyes a monopoly of pins." Down to and beyond this point the author of Belasyse has accurate notes of Coke's report. But Sir John Kaye and the monopoly of pins were in no sense connected. It can be seen from the Commons Journal that between what Coke said about Kaye and what he said about pins enough happened in the House to fill up approximately a folio of a small notebook. But to the copyist this was not apparent because the mutilated report still seemed to read smoothly. Other examples of the same sort have been dealt with in our footnotes.

The Diary of John Smyth of Nibley

JOHN SMYTH of Nibley (1567–1641) whose diary is printed in the fifth volume of this work was, like some other recorders of parliamentary minutes, an antiquarian. He is chiefly remembered as the author of that delightful history, *The Lives of the Berkeleys*. He also wrote *A Description of the Hundred of Berkeley* and that with the *Lives* was edited by Sir John MacLean and published by the Bristol and Gloucestershire Archaeological Society in 1883–1885, nearly two centuries and a half after Smyth had been laid in Nibley Church. In a footnote we have referred to Smyth's *History of the Manor of Bosham*.[1] Another work by Smyth was published in 1902: *The Names and Surnames of all the Able and Sufficient Men in Body fit for His Majesty's Service in the Wars, within the County of Gloucester . . . August,*

1. Smyth (5: 253 n. 2).

1608, a work that will prove of increasing importance.[1] Smyth left numerous other works in manuscript, account books and miscellaneous materials, many of which are now to be found, thanks to that collector and scholar, Roland Austin, in the Gloucester Public Library.

An inadequate account of Smyth appears in the *D.N.B.* James H. Cooke touches upon his life in his essay "The Berkeley MSS. and their author, John Smyth."[2] His life is so interesting, his character is so significant of his generation, his outlook upon his own times so affected by his study of the past, that we cannot but give a few pages to him. He hailed from Leicestershire, came at the age of seventeen from the Free School at Derby to the Berkeley household to attend young Lord Thomas Berkeley, and continued as a servant and scholar with him for five years until the two were sent by the Berkeley family to Magdalen College, Oxford. After three years Smyth left Magdalen to study law at the Middle Temple and returned to Gloucestershire in 1596 presently to become the steward of the Berkeley family.

That was a fortunate day for the Berkeleys. Their efforts and expense in his behalf were to serve them well. How their new steward was able to restore the fortunes of a declining family is a story which must not be wholly omitted from this sketch of Smyth. Since the Wars of the Roses there had been a long struggle between the Lisles and the Berkeleys for the land in the vale of the Severn and on the slopes and western ridges of the Cotswolds. In 1491 there had been a pitched battle between Lord Lisle and Lord Berkeley on Nibley Green, the account of which Smyth had collected from those whose parents had taken part in it or had climbed the trees to watch the fray. In the time of Elizabeth, the Lisles

1. This work of Smyth has now been used in the commendable study by A. J. Tawney and R. H. Tawney, "An Occupational Census of the Seventeenth Century," published, some time after we wrote these comments on Smyth, in the *Economic History Review,* October, 1934, vol. 5, no. 1, pp. 25–64.

2. *Trans. Bristol and Gloucs. Arch. Soc.,* 5 : 212–221.

through Leicester had royal favor and the Berkeleys disfavor, since Lady Berkeley was a sister of the Duke of Norfolk who lost his head. It was not only royal favor but poor stewards and lawyers, Smyth believed, that allowed the Lisles to gain many of the Berkeley holdings in Berkeley hundred. Smyth made plans to win back for the Berkeleys some of the lands they had lost. He applied himself to the study of Lord Henry Berkeley's ill successes in his suits with the Lisles since the beginning of Elizabeth's reign.

One of his first discoveries was that the Earl of Leicester had opened manoeuvres in 1580 by inviting Lord Henry Berkeley to Killingworth Castle where he lodged his guest and then asked permission to send some good herald to Berkeley Castle to take genealogical notes there. Lord Henry was unsuspicious of his host and consented. Leicester sent one Harvey who spent some time at Berkeley Castle taking notes. Now these many years later Smyth began making inquiries. He found that Harvey had imbibed too freely at the House of one Bolton, an innholder and brewer to Lord Henry, and had boasted that what he had found in the castle would be his making forever. Smyth followed the route taken by Harvey on his way to Berkeley. He came to John Savage in Saintbury. There Harvey had opened his portmanteau and shown a roll to Savage. After Harvey had gone to bed Savage had copied from that roll a note and cast it into a cupboard. Smyth rummaged through the cupboard now and found the note which made clear the treason of Harvey's mission. Smyth next learned that in Almondsbury there lived a William Chester who had formerly been a page in the Earl of Leicester's chamber. Through a friend Smyth arranged a meeting with Chester who recalled more as to the secret collaboration by which Harvey had taken evidence from Berkeley Castle. Smyth now knew that many documents had gone from Berkeley Castle with Leicester's chattering herald. He poled about in other quarters and discovered the packing of juries by the Earl of Leicester against Lord Henry Berkeley,

not only that juries had been packed but that plans had been made to pack them. It was a common enough practice and Smyth himself may have tried it in the service of his lord, but evidence that such juries had been planned was useful. In London Smyth found an ancient barrister, Goodman of Lincoln's Inn who had been dismissed by the Lisles, and engaged him as counsel. He did more. One night Smyth's servant took from Goodman's study a cloak-bag full of deeds, court rolls of manors, exemplifications, breviates prepared by counsel in innumerable lawsuits, letters, notes of rewards given by the Lisles to jurors and other muniments. All of them formerly belonged to Lord Henry, Smyth said. Thus Smyth was able to restore much of the evidence which had been spirited away. By 1604 he was ready. Lord Henry was seventy and was showing a disposition to let his successors pick up the quarrels after his death. But Smyth persuaded him to summon a conference of friends and convinced them that a new attack was feasible. Lord Lisle postponed trial as long as possible, then finally accepted mediation. An agreement was made that Lisle would assure Lord Berkeley's title to all the lands he claimed; Lord Berkeley was to pay Lisle a sum of £7320. On the summit of Westridge Hill in the presence of one hundred persons the Berkeley family took possession of all the disputed lands.

It was a triumph for Smyth. Wotton, Simondsall, Came, Hinton, Cowley, Arlingham, Slimbridge, Hurst, Sages, besides 800 acres of lands, 500 of meadows, 1000 of pasture, 200 of wood and 500 of firs and heath were recovered for the Berkeley dominions. After 192 years' warfare in the courts and on Nibley Green, after the Berkeleys had with their long walkings worn smooth the pavements between Temple Bar and Westminster, here was victory. Smyth was the new champion; the armed retainer had been supplanted by the loyal steward and antiquarian.

Smyth's abilities in this sort of conflict came into use again in the reign of Charles I. He had undertaken the reclamation

of some lowlands in Slimbridge parish along the Severn, holdings taken over from the Berkeley family. Sir Sackville Crow, a courtier of the type instinctively disliked by Smyth, conceived a project to recover those lands for the King and instituted proceedings against Smyth. Crow got himself appointed one of the commissioners to hold an inquisition on those reclaimed lands. Lord Berkeley advised Smyth to avoid action. But Smyth was confident of his powers to defeat even a courtier. The case was prosecuted by the Attorney General with seven of the ablest counsel in the kingdom. The King's Counsel pleaded admiralty jurisdiction, that certain lands recovered from the Severn belonged to the King. Smyth's counsel argued that for centuries the Lords of Berkeley had held lands with boundary to the middle of the channel of the Severn, that the wastes of the Severn had always been private property. To prove this Smyth brought along two trunks and three bags of evidence, besides plans of the river, rocks and channel, and printed maps. The Attorney General, amazed at the mountain of deeds, charters, inquisitions, etc., drew a juror and dropped the suit.

The Berkeleys must have recognized early in their relations with Smyth that they had a jewel. When he was ill for six weeks and out of his senses, Lord Berkeley sent him a unicorn's horn, a bezoar stone and exquisite jellies. Twelve years later when Smyth thought he had come to the end of his pilgrimage, the Dowager Lady Berkeley, mother of Lord George, travelled many miles to visit him. When he was well he must have been somewhat of a trial to them, for he knew definitely what policy they should pursue and the Berkeleys, like many old families, had perhaps grown rather easy-going. But they were likely in the long run to accept his advice and to reward him amply. No doubt there were many who feared that Smyth was doing too well at the hands of the Berkeleys, who envied him the position he had won in the county; he was a potent man there, as his enemy Crokey acknowledged.

Smyth watched his growing estates with pride. Was this

not the result of his own efforts? Did he not reflect that he had come to Gloucestershire a raw country lad? His family in Leicestershire had been substantial people but Smyth's fortunes had been his own to make. Gentleman indeed, he was a match for any gentleman in his countryside.

No parvenu either, but one who had graced his class by scholarship, knowledge and learning. It was not a time when people looked down their noses at newly won wealth and position. Too many families in every county were new, and old families were too weak to maintain themselves against the new. Smyth was not only a gentleman but a country gentleman. As Stanley Baldwin today in London sighs to raise pigs in Worcestershire, Smyth yearned at times to withdraw from his stewardship and engage in husbandry. He built himself a fine house at Nibley with gardens and orchards. He planted cherry trees but he was away so much that he could not enjoy the cherries. He remained what he had become, a Gloucestershire country gentleman. It is true that he was a chief adventurer in the establishment of a settlement in Virginia and had a good deal to say at meetings of the Virginia Company. He had to spend much time in London and had a wide acquaintance there with lawyers, scholars and in his later years with men of commerce. He knew Robert Burton of the *Anatomy*. Among members of parliament he seems to have known Sir Henry Poole to whom he twice alludes in his diary as "our merry,"[1] Sir James Perrot, Sir Edwin Sandys, Sir Edward Coke, Sir John Brooke and John Ferrar. Rudyard, Ashley, Davies, Crew, Frecheville, May, Whitelocke and others had been at Middle Temple in his day.

He knew common people too. Subsidy men and clouted shoes. Severn fishermen and bargemen, hunters and innkeepers, chaplains, poachers, vagabonds, shepherds, furriers, millers, housewives who tended their chickens along Bourne stream, youths inspected in the musters; here and there a youth who went to London to study law; the "Ryppiers"

1. Smyth (5: 364, 367).

who stopped at the inn in Nymphsfield every Thursday at four, bringing south sea fish in the passage to Gloucester and Worcester; clothiers, carriers and wainsmen who made weekly trips to London and Blackwell Hall and brought back Simondsall news to gull the people; husbandmen who each morning looked to peaked little "Abergainy" hill in Wales as their almanac maker; small holders who believed in the proverb "botch and sit, build and flit" because they feared that the repairing of their houses would encourage the taking of reversions over their heads—they make up Smyth's homely pageant of his neighbors.

The phrase "social history" had not been invented, least of all abused; but Smyth was indeed one of the first of those who were interested in the ways of people in the communities. The villagers of Ozleworth gathered the furs of foxes for their rent and lived on a hillside so steep that they could throw billets and faggots into their chimney pots to save carriage. Simondsall was the highest spot in Berkeley and reputed locally to be the highest earth in England. Here if anywhere eternity of days might be expected, provided the inhabitants were furnished with a great woodpile for winter. The holy well at Wanswell was believed by the natives to work strange cures, but to Smyth's mind it was an unholy well chiefly responsible for the proverb that all the maids of Wanswell could dance in an eggshell.

Sometimes his analyses were almost sociological. The people of the hundred of Berkeley dwelt on three "steps." Those on the first step, from the channel of the Severn to the hills, had wealth without health. They were the people whose abundance of pasture, low and fat grounds, satisfied the greediness of the kine and the covetousness of the owners. The people on the second step, i.e., on the terraces, had wealth and health. The people on the third step, the top of the Cotswolds, had health in that sharp air and less wealth. There the dryer ground and the shorter grass fed numberless sheep.

Smyth was able to view his world in historical perspective. He was born in the year when the puritans were beginning to worry Elizabeth and he lay down to die while the House of Commons was listening to the Earl of Strafford's answer to the articles of impeachment. He had himself talked with many a man who had dealt with the monks and who had seen their passing. Indeed he had talked to old men who could quote what their fathers had told them about Gloucester affairs in the reign of Henry VII. He had used records so much that neither the reign of Henry VII nor that of Edward III seemed long ago and far away. It is the bliss the study of documents doth bring men to. The dilapidations on Severn shore by the Wars of the Roses were still stamped upon the landscape, along the river and back through the vale. Villages were depopulated and houses decayed. Berkeley had been a great market town with inns paying large taxes. Nowadays there was little tax coming in from those inns and yet a mass of ale and beer drowned in the guts of drunkards. A population of squatters and petty thieves was scattered over the vale. But there had been improvements too; old commons in the valley and wooded chases on the hills had been enclosed and that in spite of rural reluctation against enclosure.

It was part of his perspective that the struggles between church and puritans did not greatly excite him. He accepted the Church of England as he found it, but was not unfriendly to the puritans whose works he read. He approved of those honest men "whom we mistake and call puritans" but who were really in the tradition of Wycliffe. But he rejected those oppugners of wayward disposition, men of too stern judgment who interfered with the sports of Stinchcombe and Bluemead Sunday. His books contain several descriptions of these sports. In his last years he liked well to walk in summer time on Sundays after evening prayers with his wife to Hodley's Green and there to behold his neighbors' children and servants and his own grandchildren run

at barley-break, dance in the ring and such like sports as they like best.

He was of course distressed at the political disturbances in the reign of Charles I and warned his protégé against forceful opposition to the King. He did not like the trend of his times. People were abandoning simplicity of life and taking their reputations from their tailors. He talked in the manner of old country gentlemen who had no good words for the new young courtiers. But he offered few remedies, even for wretched conditions which he saw among the poor. "Fortune hath given much to many, enough to none."

He had pity for the poor, especially for those poor who were of gentle stock. The Wikes had been among the county folk of Gloucestershire. "And that family of Wike live in obscure poverty . . . I have divers times within 26 years past beheld the said Robert Wike (the heir of this ancient line) then not more old than poor, in Chancery Lane and in Fleet Street, London, picking up the shreds of rags cast into the streets from the sweepings of tailors' and seamsters' shops, to get thereby a farthing token for his sustenance (somewhat harsh to be written by me), when myself and others then in company, knowing his honorable descent and seeing his present condition, have given him six pence or twelve pence from amongst us, concealing ourselves and eke our knowledges of him. Howbeit conscious of his ancestors and descent and of the mount from whence he was tumbled down, he would never beg of any for aught I could ever see or learn."[1] Smyth the historian, and the rise of his own family, and the decline of another, were part of the processes of the generations.

It is plain that Smyth's wisdom and lore were drawn largely from experience. He had read widely as his *Lives* and *Description of the Hundred of Berkeley* soon show. Yet his education may be said to have been chiefly harvest from documents. "I have spent a whole week together in a search and

1. Smyth, *Lives of the Berkeleys*, 1 : 58.

returned without the gleaning of a note to enlarge a line herein." He had taken in hand the records of the Tower of London. He had probed collections of King's Bench, the Rolls' Chapel, Chancery, Common Pleas, Exchequer, the Treasury, the Pipe and Pell offices, the paper chamber at Whitehall. He had looked into journals of parliament, the registers of bishoprics, libraries of cathedrals, public and private libraries at Oxford and Cambridge. But he could say: "I have not so reaped my fields but I have left many rich ears to gather."

In the 72nd year of his life, in the 33rd year after the last great flood, in the 64th year since the fall of the great elm at Ham's Green, Smyth in deference to his years put down his pen. His son and heir was ready to succeed him as steward and was serving as commissioner in the deforestation of Dean. His son Thomas was off to Oxford. Smyth's posterity numbered twenty-one. His old enemy of many lawsuits, Crokey, was shut up in the Fleet. From his new parlor he could look down grassy slopes towards the vale or turn his eyes to the moral sayings he had carved above the wainscot.

Today the house is gone save the doorway which stands alone in the wall at the front. You can still make out the inscription over the entrance:

N. M.	M. H.
S. P.	N. C.

which is believed to mean:

Nunc Mei	Mox Hujus
Sed Postea	Nescio Cujus.

Beyond the doorway is the answer, a small enclosure for pigs where you can trace the outlines of the house, can guess where the cherry orchard was. The well is still there. His own grave in Nibley Church has been covered these many years by a pavement and the rector does not even believe there was such a grave. All that Smyth would have understood. The

glories of our state and things, the mutability even of what is put above the ground were known to one who had studied so carefully the handiwork of time in the vale. That the memory of Smyth's ideas, some of them very modern and many of them wise, that the story of his career will last longer than his buildings depends upon historians. Mr. Roland Austin, who has collected so many of the Smyth manuscripts for the Gloucester Public Library, promises us a life of Smyth that should be welcomed by every inquirer into the English past.

The diary which Smyth kept of the House of Commons in 1621 was identified by A. J. Horwood when he calendared the Cholmondeley papers at Condover House for the Historical Manuscripts Commission.[1] The British Museum, now in possession of the diary, accepted Horwood's identification. There was no doubt about it. Numerous specimens of Smyth's handwriting were available and it is a handwriting that cannot be easily mistaken for another's. For that matter Smyth was at no pains to conceal his authorship. Several times in the diary he refers to himself.

His notes of the Commons are whimsical. If the diary had been published by itself, its style and brevity would have impaired its usefulness. Smyth wrote the diary for his own use and in many places put down such heads as would enable him alone to recall the course of the debate. If the reader had nothing with which to compare, in many places he would find it hard, from Smyth's skeleton of proceedings, to follow what was going on. Often in a few swift sentences Smyth traces the trend of business for an entire day. But he has the gift, when he is moved to use it, of deftly stating pertinent points. He can pack into one sentence the main effect of several speeches and then what the Commons determined to do.

Perhaps Smyth lacked the knack of taking full notes. Almost certainly he was a trifle impatient with all the argumentation to which the House was habituated. He kept a notebook, but he attached no great importance to it. He did

1. *H.M.C.* 5 : 333, 360.

not think this diary important enough to mention along with his other works, and he is not unwilling to mention them. No doubt it would grieve him to know that some of his greater labors are now lost whereas these rough notes are finding their way to print.

Sometimes there is a journalistic touch to Smyth's reporting. Placed supplementary to other accounts his diary here and there throws light where others cast shadows.[1] A few of his sotto voce quips whet our curiosity without satisfying it. We should be pleased to know more of Smyth's mind when, in reporting the speeches of others, he recommended the Marquis of Buckingham to oblivion.[2] We are equally interested in the devil and his instruments who, it is related, came between the Marquis and his brother.[3] In such remarks we catch the drift of undercurrents, the tension of silence which other diarists thought best to observe.

Occasionally Smyth's comments upon speakers are interesting. If what he has to say of them is not as pungent and picturesque as much of his writing, it can nevertheless be recognized as having come from the pen of the one and only Smyth of Nibley. He found Sir Robert Phelips versed and conversant in precedents. The same praise was given Hakewill for his knowledge in the debate over privileges. He approved of the learning of Noy and Brooke and the logical, analytical attack of Perrot on Pym. Ingram, for whom Smyth would not readily have said good words, was credited with an excellent, well delivered and methodical paper. Speeches by each of the Sandys won his commendation. Mallory made a "stout" speech and Vane a "sound" motion. Digges was applauded and we gather that Smyth agreed. Smyth did not always approve. Gorges and Bourchier who appeared before the committee for the bill for free fishing "brought incantations in their mouths by their elegant

1. An instance is his comment on Sackville's removal from the chair for Courts. Smyth (5 : 258).

2. Smyth (5 : 358).

3. Smyth (5 : 417).

speeches." Mr. Berkeley from his own west country spake *multa* but not *multum*. Shilleto declared that it was better to go to war than to lose a foot of land. Smyth said nothing about the speech save that it was laughed to scorn.

Smyth's diary is a fair measure of his participation in the affairs of the House of Commons. It does not, of course, take us everywhere with him. It is true that he was named to but few committees, nothing more important than those for the Horseman bill, the bill for Upminster Manor and the bill for pensions. But this left him free to put in his time at the more general committees. By his own admission, when by reason of his Virginia investment he spoke with feeling about the tobacco trade,[1] he had attended all the committee meetings for that business. No doubt too he had been moved to speak in some of those meetings. But he does not fill this gap for us. About a few other committees he is equally tantalizing. After April 24 Smyth's notes of afternoon meetings are for most days too scanty to be of much use. During that later period he was what George Herbert, in speaking of members of parliament, called a "morning man."[2] Yet in general his diary must be regarded as a passable account by a newcomer who listened much and said little.

Nevertheless Smyth spoke more than most new members ventured to do. His opinions as expressed in his respective speeches and in his notes need no glossator. He tells us that on March 27 he had it in mind to reintroduce the slumbering motion for a bill for freedom of speech.[3] More experienced members must have convinced him how inopportune such a proposal would have been at that time when serenity seemed to prevail. If we interpret Smyth's intention on March 27 as

1. Smyth (5 : 334).

2. "And when he is there [in parliament] he must not only be a morning man, but at Committees also, for there the particulars are exactly discussed which are brought from thence to the House but in general." "The Country Parson," *English Works of George Herbert* (G. H. Palmer, ed.), 1 : 304.

3. Smyth (5 : 324 n. 2).

indicative of his view of the position and power of the House, then we must recognize that he further emphasizes it on May 4. Speaking on that day to the Floyd case, he declared in no uncertain terms the right of "the representative body of the whole commonwealth" to give judgment and to punish. In the December battle of messages between King and Commons, Smyth thought the King harsh and spoke of the Commons as seeking to defend its liberties. With the attack on monopolies he seems entirely sympathetic, makes little contributions of his own and heartily approved of Seymour's motion on April 21 which "touched the Lord Treasurer to the quick." Among his papers at Condover House was one dated 1620 and endorsed "My collection of monopoly patents," said to have contained notes of ninety-six of those grants.[1] He followed the suggestions for regulating courts with evident interest.

It might be assumed that a man of such opinions would unhesitatingly join, and perhaps with some spirit, in a general program of opposition to the prevalent royal policy and administration. Fortunately we are able from Smyth's writings to deduce some of his personal opinions. His parliamentary attack on the decayed haberdasher who acted as commissioner for concealed tithes is paralleled by his disdain for other projectors whom he thought of as bred at London and at Court. The complaints against the courts were not news to him. He had been the means, as we have seen, of bringing to conclusion suits that had stalked the Berkeley family for nearly two hundred years. In 1592 a suit involving himself was thriving and outlived him to pester his son and grandson. In his writings he pays his respects to the paper wars at Westminster Hall, "the observation whereof ministreth cause silently to bewail the troops of lawyers, attorneys, and solicitors, the country malice and envy that rageth in this age with the inferior sort; they recourse to Westminster Hall (our cockpit of revenge) upon

1. *H.M.C.* 5:355.

each poor action and occasion, the civil wars of my days there raging, wasting more treasure and time than the disunion of the houses of York and Lancaster ever did the uniting. One of the main causes why my neighbors grow poor with more when their fathers grew rich with less."[1] About his attitude towards parliamentary attacks on the Crown, we can be sure of one thing. A man who delighted to honor the memory of Chaucer and Gower, who understood and praised the influence of Wycliffe in English history, who hailed Sir Walter Ralegh as "that prodigy of wit whose excellencies have conquered both example and imitation," a man who had searched the archives of London and examined manuscripts in the studies of Coke, Cotton and Selden, a man who had labored diligently and intelligently in "those honorable and spacious fields" was not likely to stand in awe of mere majesty.

There can be little doubt that Smyth agreed with numerous of his fellow members about the nature and extent of public grievances and about the desirability of dealing resolutely with them in parliament. His background and associations would render him receptive to the tendency to extend the powers of parliament by broad interpretation. But he had no faith in utopian schemes, much as he had enjoyed More's little book. His life was rich in experience with men of all classes and that experience he had rounded out with his studies. As he labored to summarize his antiquarian researches, he looked out on his own day and then looked back on what had come before. Often his own times disquieted him. "These devastating times," he called them in a note about decorations in churches which he added in 1630 to his *Lives of the Berkeleys*. Henry Sherfield had just flung his stick through the window of St. Edmunds Church. The "armies of divines" with their sharp pens, men too prone to commiserate rather than to reason, men apt to maintain one violence by another, men who declaimed that the evil govern-

1. Smyth, *Lives of the Berkeleys*, 1 : 242.

ment of the King was not to be endured by free and heroic spirits, men who talked of dying for the common good, for freedom, for defence of liberty, he shook his head over them all. He utilized the rebellion against King John and the dethronement of Edward II to write his warning. To all ends, he thought, there is a lawful means. It is too desperate a strain to resolve either for death or domination. Men who talk about public evils always have their private ends. The names of liberty and reformation are the usual masks of faction and "that liberty itself after a short while is nowhere less than under a new lord's rule." "It is ignorance and indiscretion for a subject to force his Prince by violent means, for he that would move a greater strength than his own must work with his head, not with his hands; and the safest way to succeed in every enterprise is to watch fit circumstances and to present our endeavors with opportunities, and not upon any discontent whatsoever to subject to ruin in an instant our honor and estate which with much study, labor and time hath been erected."

In 1621 things had not reached that pass where Smyth was moved to think in the terms just mentioned. But his words allow us to speak with some assurance of his position. To his mind parliament was the fit place for blunt speech about grievances and matters of state. To this country gentleman it would never occur to be intimidated by the mere displeasure of the King. But beyond plaguing the administration into submission by parliamentary tactics he would not have been prepared to go.

One petition that came into parliament attacked Smyth personally. Among the Alford papers[1] is a petition by Benjamin Crokey against John Smyth, "a lawyer and now one of the burgesses of this honorable assembly." In Guildhall Library[2] is the brief of a bill submitted to this parliament by Crokey for the reestablishing of a Free Grammar School at Wotton-under-Edge, "lately suppressed by one John

1. Harl. 6803, ff. 56v–57. 2. Broadsides, 24 : 43.

Smith, Gentleman." A lawsuit between Smyth and Crokey about lands belonging to that school had been maturing for some years in the various courts at Westminster. Even at this time a suit was pending in Star Chamber[1] on a bill presented by Crokey in 1620 wherein Smyth was charged with bribery, riot, assault and other matters. In the petition and the breviate of the bill submitted by Crokey to the parliament in 1621, Crokey shows that he has made little headway against the sharp practices and legal experience of Smyth and prays for the aid of parliament against Smyth's powerfulness, "as may appear by a certificate of the Mayor and Burgesses of Wotton where the school is, and 14 preachers of God's word near thereunto dwelling." Smyth had been heard to say that "Crokey shall remove a mountain as soon as remove him out of possession." Crokey declares that Smyth had heard of his intention to urge a bill in parliament and for that reason "got himself to be a burgess of Midhurst in Sussex, 130 miles from his residence."

In all our records for the Commons in this parliament there is but one mention of this matter and that is illegible. At the beginning of his diary Smyth started to note something about Crokey and crossed it out. Presumably Crokey's petition was viewed by one of the subcommittees for petitions of which Alford was a member. There were swarms of such petitioners about parliament. Many papers of this sort must have been put aside while more general grievances were still under consideration. In all likelihood Smyth had no need to exert pressure to keep this petition out of the House; but if there were need, no doubt he had the disposition and friends to kill it.

Crokey did not rely solely on the Commons. He carried his woe to the Lords. Before parliament arose in June the Lords granted Crokey's plea for a commission of inquisition to be taken during vacation.[2] But Crokey did not have time to

1. See St. Ch. 8/107:7 and St. Ch. 8/274:8.
2. L.J. 3:170–171.

put the Lords' order in operation; he was arrested for debt at the suit of one Harvey and committed to King's Bench prison. Crokey said that Smyth instigated his arrest. It was the sort of thing Smyth would be likely to do. Crokey was bottled up until parliament resumed in the autumn. Then upon Crokey's petition the Lords ordered him to be brought before them on a habeas corpus. On November 28 the Lords ordered Crokey's release from prison.[1] Though he was now free to prosecute the commission granted by the Lords there was little hope that he could bring it to conclusion before parliament adjourned. It is possible that Smyth's diary suffered in the autumn session because of the attention he must have given to Crokey's activities in the Lords.

Here the case passes out of the scene for the parliament of 1621. But it reappears in some form or other before all the ensuing parliaments down to the Long Parliament, pushes into other courts recurrently and begets some curious pamphlet literature. An outline of the case can be traced in Roland Austin's *Catalogue of the Gloucestershire Collection,* Gloucester, 1928, pp. 737, 872–878.

Smyth was not again elected to the Commons. It is probable that he had little desire to serve there longer. When on March 13 he spoke of the beauties of his home country,[2] he was speaking from his heart. In his writings he takes constant delight in telling of the country where he dwelt. He could ill spare the time from his duties and interests. Besides he entertained a deep suspicion of London and its works. Husbandry was the supreme occupation of mankind, the only one where innocency still prevailed.

But Smyth was not destined to remain entirely aloof. The persistent attacks of Benjamin Crokey and the financial interest which Smyth had in the project of Benedict Webb forced him to come to London at succeeding sessions of parliament until Charles I began his experiment of personal rule.

1. L.J. 3: 170–171, 173–174. 2. Smyth (5: 294–295).

The Diary of Sir Thomas Wentworth

THIS account by Wentworth we came upon last of all the diaries. It is a brief record, coming to an end in less than a month. It is unlike most other accounts. Individual speakers are rarely mentioned, bills and their readings are not recorded, nor the episodes in the House. Wentworth like Pym is concerned with the progress of the argument. He is interested, so far as this diary goes, in a few questions: freedom of speech, recusants and the laws against them, the wool trade, scarcity of money, election cases and, above all, procedure. Of course these were questions that were uppermost in the first weeks of business in the Commons and other matters that came up later might have drawn equal attention from Wentworth.

He likes to go over the proceedings of the day. He is not interested in the order in which arguments were presented nor in the people who presented them nor in the way one thing naturally led to another in discussion. He is no respecter of time order. He will jump from a point made at the beginning of a discussion to one made near the end and perhaps back to one in the middle or in the beginning again. He is fond of logical arrangements but those arrangements are less considered and innately orderly than Pym's. He has imposed himself upon his record as if his were a diary wherein he intended to put down only those arguments that had weight with him. He was no respecter of persons. He would mention an argument made by Coke but was likely to leave out his name and most of what he said. Coke would go off into digressions and Sir Thomas was an old enemy of irrelevance.

His minutes seem to have been prepared at the end of the day's work. Either they were so prepared from memory or Sir Thomas had a fuller account of proceedings in the Commons, his own or another's, from which he made an abstract.

But this last seems improbable. His language is so different from that of the speakers as we know them in other diaries. The arguments are all in the words of Wentworth as if, a good while later, he was going over in his mind what had happened. Perhaps he kept rough notes. He so often says "this afternoon" that we think of him as writing in the evening after the events he records. He puts in comments which may reveal that he is writing a little while afterwards. On the seventeenth of February he tells us of the petition brought by the committee of both Houses to the King and mentions his Majesty's answer which was sent to the House "on Tuesday following in writing." In reporting an item for one day he will telescope into that day's narrative what happened on the next day in regard to the same item as if he were writing from memory.

The Sir Thomas Wentworth we know in the parliament, the Wentworth who had a keen eye to essentials and was not to be diverted from the main point, is clearly revealed in these minutes. Why did he give up keeping them? Was the Yorkshireman who always wished to get ahead with business, who was always impatient with trivialities in the Commons, at length disgusted with the talking pace of the Commons? Did he decide to cease recording proceedings that fell so short of conclusions? We cannot say. Even in strong men there is a human frailty about keeping diaries; such books are more easily started than finished.

The Diary of Sir Nathaniel Rich

THE diary of Sir Nathaniel Rich for 1621 covers too little ground. It commences on February 16 and continues only to March 2, with an intermission from February 19 to February 24 when Rich had an "extreme cold." Rich kept three diaries, one for 1614, one for 1621 and one for 1626. They came with much other material into the hands of

the Montagu family and were found together in a chest in Kimbolton Castle. The diary for 1614 is most of it in pencil, now almost too faded to read. The other diaries we have in rotograph and typed transcript.

The 1621 diary is useful. Rich was not interested in bills, in their introduction or in their readings. He was not concerned with procedure or with the machinery of the Commons. It was economic issues that appealed to him and Sir Edwin Sandys was the speaker he liked to report as fully as possible. Other speakers not commonly much noticed, such as Mynn and Sir Charles Montagu, received their meed of attention from him. Not that he neglected Coke, Hakewill, Phelips and the well known speakers, for Rich was somewhat painstaking in following the course of a debate whithersoever it led. He attended committees and reported them just as fully as proceedings in the House. The committee on free buying of wool on February 16 is recorded nowhere so well as by Rich and some of the points he gives there aid in interpretation of later debates on the same subject. Pym's account of that committee is a brief summary, but what Rich has is detailed and sequential. The Committee on Decay of Money on February 27 is reported in several diaries, but Rich adds speeches and statements within speeches that are not found elsewhere and often makes sense of what is none too clear in other accounts.

Rich's reporting is as conversational as that of any of the diaries. He makes Sir Thomas Lowe say:[1] "Wools sold for 34*s.*, now 24*s.* a tod. What loss." Roe[2] "speaks not to cry up silver." Rich reports that Sandys remarked in a long speech:[3] "But how are our goods returned? Marry, in smoke, in tobacco." He quotes Coke thus:[4] "There is a leak in the ship of the commonwealth; we shall sink in time." He gives Cope's metaphor:[5] "This great spring [the West In-

1. Rich (5:518).
2. Rich (5:517).
3. Rich (5:516).
4. Rich (5:515).
5. Rich (5:517).

dies] is kept from our pool, no marvel if we want water." In a passage from Sandys' reasons for the defects of trade we get an idea of actual speech:[1] "A trade of fishing in Newfoundland and a better at Monhegan in the north part of Virginia. What becomes of this fish? It is carried into Spain where for royals of eight they buy what is allowed for victuals to be exported."

It is easy to identify the author of this diary. On the 16th of February the diarist records the debate on the Shepherd affair and quotes Sir Warwick Heale and another who urged that Shepherd should be called to the Bar. Then the diarist adds: "This I crost and Sir William Cope seconded me." It was easy to find from the Commons Journal that the speakers who crossed Heale and Withrington were Finch and Rich. Davies also crossed Heale. Finch and Davies are eliminated in various ways; one will do. On March 2 the author of this diary says he was appointed to the committee for the bill against recusants. Of the three, Finch, Davies and Rich, the last named was the only one on that committee. The identification is established by the use of the first person in the 1626 diary as well.

The Diary of Sir Thomas Holland

IN the identification of the diary of John Pym we were deprived of the use of handwriting; in the identification of the Holland diary we had to rely solely on handwriting. There was no clue within the diary, so far as we could find; never once does the author say *I* and his records of committee meetings are principally of the general committees.

In the cover of one of the volumes of the Holland diary was a bit of late medieval parchment, a document having something to do with land in Norfolk. Now there are in the

1. Rich (5:525).

Bodley two volumes of a diary for the Long Parliament which we remembered were of much the same hand and yet not the same hand as that in the Holland diary. They were catalogued in the Bodley with these diaries for 1621 and 1624. They had the appearance of having come into the Bodley with these earlier diaries. Professor Glenn Gray of the University of Nebraska, who was interested in identifying the diaries for the Long Parliament, took up the Norfolk lead. By a process of examination of handwritings of members from Norfolk for the Long Parliament he proved that the diaries for the Long Parliament were by Sir John Holland of Norfolk. After his discovery we examined the possibility that the diaries for 1621 and 1624 might be by Sir John's father, Sir Thomas. And so it turned out. In the British Museum there are eight letters written by Sir Thomas Holland,[1] in the Public Record Office there is another letter,[2] and in the Bodley still another.[3] The characteristics and variations of the handwriting check perfectly in the diaries and the letters. Sir Thomas used a cursive hand and an upright hand, both of which in all details appear in the diaries and the letters.

Sir Thomas Holland lived at Quidenham and served in the parliament of 1621 for Thetford and in 1624 for the county of Norfolk. His branch of the Holland family was now rooted in Norfolk where for several generations it had held by inheritance the chief stewardship of the Howard estates in East Anglia. His great aunt had been that Bess Holland whose affair with the third Duke of Norfolk had once stirred county and Court. His father was John Holland of Kenninghall and Quidenham who was, according to Blomefield,[4] an ingenious painter. Sir Thomas succeeded his father as chief

1. Add. 27447, ff. 143, 149, 155, 168, 177–178, 185, 217; Eg. 2715, ff. 292–293.

2. S.P. 14/172:48.

3. Tanner 283, ff. 147–148v.

4. *Essay towards a Topographical History of the County of Norfolk*, London, 1805, 1:344 (table).

steward to the Earl of Arundel. Except for his brief service in parliament Sir Thomas seems to have devoted himself entirely to his lord and his county. Thomas Barsham pictures him as a proper country gentleman providing good relief for the poor and suppressing alehouses.[1] L'Estrange, writing of the elections to the parliament of 1624, states that Sir Thomas had rather serve his lord in the country than sit in parliament.[2] In a few minor notices we find him at his duties as justice of peace, sheriff of Norfolk in 1619, captain of foot in the hundred of Diss, and general assistant to the Earl of Arundel who was lord lieutenant. Holland died February 5, 1626, at the age of forty-eight and is buried at Quidenham. His son, Sir John Holland, became chief steward to Arundel and was made a baronet in 1629. Sir John sat in the Short and Long Parliaments and served in parliament after the restoration.

But for his diary we should hardly have realized that Sir Thomas was in the Commons. We do not know that he ever said a word in public there. He was on few committees, those for the Fleet, the bill for chantries, the bill for restitution of possession, the bill for apparel and three private bills. His diary shows us with what close attention a silent member might follow the main business in the House. It is an intelligent and serviceable supplementary account, but completely impersonal. The volume for the first session does not begin until February 23. Holland may have been one of those who succumbed to the epidemic of colds during the early weeks of the parliament. The volume for the second session begins on April 23. We may conjecture that Holland might have used the Easter vacation to catch up with his official duties in Norfolk and have deferred his return for a week on that account. For the third session we have no notes by Holland. We cannot be certain that he kept any. The presence of

1. *H.M.C.* 11 : pt. 4, 19.

2. H. W. Saunders (ed.), *Official papers of Sir Nathaniel Bacon*, Cam. Soc. 1915, 39.

such an inactive man is not easily traceable. Perhaps he did not attend the Commons in the autumn. But the Z diary, which we shall discuss below, may have some connection with this gap in the Holland notes.

As we examine the diary of Sir Thomas Holland we are impressed with the number of interesting things to be found in his account and in no other. His are the only notes of the committee on alehouses on the 28th of April. It is a speaker in his diary that tells us of the little book by Mr. Hales, a great parliament man. It is on the same day, May 8, that Holland informs us of other interesting things. He describes the departure of the Speaker when the House goes into committee, he entertains us with bits of the Morison-Coke episode and gives extracts from a speech by Horsey not found elsewhere. On the 4th of May in the debate about Floyd he adds information: "Mr. Secretary in this debate would have gone out which the House much misliked and would not admit him though he assured them that he had great matters of state, until the question was passed whether the judgment should be entered." The whole Floyd case was of interest to Holland and he is almost reckless in his details about the debate on Floyd's punishment. His account for the afternoon of March 21 is an example of what he can supply when other diaries are deficient. Holland can be counted on to add speeches now and then, sometimes several at a time, which are not in the other records.[1] In entering speakers Holland has one curious habit. He will sometimes cross out the name of a member who really spoke, but without attempting to enter what the member said. In such cases we have left the name in the text and omitted the fact that it was crossed out.

We learn practically nothing about Holland's personality. He mentions on the 3rd of March Coke's "report concerning

1. e.g., Speeches on February 23 by Mr. Solicitor, Perrot, Vane, Bowes, Roe, Mr. Treasurer, and on February 24 by Weston and Brooke.

the craven's examination." By the craven he meant no other than Mompesson who had just fled the country. That was about the only expression of opinion Holland allowed himself. He could not, however, conceal his traits of speech altogether. In one place he spells Solicitor *Solister*. He insists on calling Alford *Orford* or *Olford,* as a Norfolk man might. He calls Berkeley *Bartly* and Keightley *Keekly*. He spells Towerson more than once *Towersome;* Dungeness he calls *Dungelnest* and *Dunswell neast*. He writes[1] that "one Brasse for a Dultery payd 20ty marks" and the space between the *a* and the *D* means that Sir Thomas meant *Dultery* as a word. Bankrupts are *bancrotts* and *bancrouts;* bond is *band;* sheriff is usually *shreive*.

Holland was not a clear-headed man who knew how to give incisively the substance of what men said in the Commons. Nicholas, Wentworth, Pym and the unknown author of MS. 3 of X could do that. They knew how to phrase matters tersely and yet in such words that the reader could catch the purport. Holland's version of a speech, if it were impossible to compare it with that in other diaries, would frequently be hard to understand. His account of the Westminster election reported on February 23 is confused. His record of the Hall-Fuller case is in sad contrast with the orderly arrangement in Pym. He was after all a commonplace country member, an intelligent one in some ways, who knew more Latin and better Latin than the ordinary justices of peace, but a conventional man nevertheless. His judgments of men were probably those of his fellow members. Sir Edward Coke was the idol of the average member who seldom knew enough law and enough of the personal egoism of Coke to appraise him as other than he seemed. Holland was likely to give a good deal of space to Sir Edward, more than to any others. It is to be said for him, however, that he did not neglect Sir Edwin Sandys and Phelips.

1. Holland (6:159).

The Z Diary

THE Z diary is marked in the Bodley "Rawlinson D 999," and thus immediately follows in that collection the second volume of the Holland diary for 1621 which we have just described. The Z diary covers the autumn session of parliament and thereby fills in that part of the narrative of the parliament of 1621 that is missing from the Holland notes. We rather believe that there is more than coincidence to this. We think that for some reason Holland was unable to keep on with his notes during the last session and that he asked some friend to take down the proceedings for him. But we have no proof of that. We thought Holland might have requested one of the members from Norfolk to make the Z notes but we have been unable to find specimens of handwritings for all the Norfolk members and cannot check that possibility.

Whether by coincidence or agreement the Z diary and Holland's came to have this seeming connection, one thing is certain. This diary is distinctly the work of some one other than Sir Thomas Holland. The handwriting is not Holland's, the habits of note-taking are not Holland's, the spelling and pronunciation are not Holland's.

The Z diary covers proceedings from November 20 to December 17. There are no notes for November 22 and 23 but a missing folio may be an explanation of that. The diarist has rather a drab way of reporting. He proceeds somewhat listlessly from speaker to speaker and monotonously introduces most of their utterances with "moved." He puts down statements in simple, choppy sentences. A comparison of the proceedings for December 3 in the Z diary and in X shows how relentlessly the author of Z reduces long speeches to a few matter of fact particulars. He was not inspired by the language men used; he did not notice phrases. He wrote so

slowly that he could not follow the details of a lengthy speech.

Even so, such labored and unadorned reporting has its uses. The diarist of Z makes few blunders and methodically preserves the order of debate. We must rely on Z for a good deal of the information we have about events on December 6. X informed us that Sackville recanted the last part of his speech on December 3[1] but it is Z that gives us the recantation.[2] The author of Z is not often descriptive but once in a while he indulges in a helpful phrase. Carvile "spake much to little purpose." Sackville was "hemmed at." The King's letter which reached the Commons on December 4 "gave great discontentment to the House." On December 5 the author of Z tells us that Wentworth moved to have Noy brought to the Bar for refusing the chair at the Committee of the Whole. In general the Z account is useful for corroboration throughout the autumn session.

The Book of Committees

THE Book of Committees is probably an official book. On the 23rd of March Smyth of Nibley's diary speaks of "two books kept by the Clerk, the one of business of the House, the other of the Committees of the whole House." This manuscript would seem to be a fragment of the Clerk's book of Committees of the whole House. It is to be found among the parliamentary manuscripts in the House of Lords where there are many papers of the House of Commons. It has the general appearance and character of a book kept by the Clerk or by his assistant. It is noticeable that it covers a little more than the time during which the Clerk was ill and his duties were undertaken by his son. The Journal kept by the son has been lost, but it seems possible that this was the journal of committees kept by the son and continued a few

1. X (2:488). 2. Z (6:227).

days after the return of his father but never entered in any book.[1] It is a useful record and provides a check upon the notes of committees kept by other diarists. The writer of the Book of Committees records more speakers than others who kept tab on such meetings. We get a better view of the examination of witnesses than we have from most accounts. This account also supplies us the names of the important subcommittees for handling petitions.[2] But it is a somewhat perfunctory record. There is no great skill in getting the gist of what people said. Nicholas and Pym are much more to the point in their accounts of Committees of the whole House.

The Diary of Sir Charles Howard

THE editor of Nicholas[3] remarks that the minutes of Harl. 1058 "appear to have been drawn up by Sir Charles Howard, Member for Windsor." Towards the end of those minutes[4] the diarist speaks of "my associate, Sir Robert Bennet" who was ill and for whom the diarist offered an excuse. Sir Robert Bennet was one of the burgesses for Windsor; his associate was Sir Charles Howard. At least we think this is the reasonable interpretation of that use of "associate."

The contemporary Sir Charles Howards, including those who were erroneously so styled, were too numerous. We gladly spare the reader the details of an interminable investigation of genealogical records, cases in courts, letters and papers during which we hoped some happy accident would bring us to a haven of certainty. We have given each Sir Charles Howard careful consideration and have studied the errors that have crept into calendars and indexes concerning them. By process of elimination we have come to the conclusion that the diarist who kept these minutes was probably

1. But cf. B. of C. (6:256 n. 5).
2. B. of C. (6:258, 262, 276).
3. Nicholas, 2:appendix, p. 1.
4. Howard (6:361).

Sir Charles Howard of Merrow who was the youngest son of Sir William Howard of Lingfield and nephew of Charles Howard, 1st Earl of Nottingham. Sir Charles of Merrow was cousin to Sir Charles Howard of Sheffield, Sussex, who had the courtesy title of Lord Howard of Effingham[1] between 1615 and 1624 and who became second Earl of Nottingham. Sir Charles of Merrow was also cousin to Charles Howard the younger, eventually the youngest son of the old Lord Admiral Nottingham and his second wife Margaret, half brother to Sir Charles Howard of Sheffield and nearly always confused with the other Charles Howards.

The exact date of birth of Sir Charles of Merrow is not known. His mother, Frances, Lady Howard, drew up her will on March 12, 1607. She provides for her eldest sons, Sir Edward and Sir Francis and then adds:[2] "To my youngest son, Charles Howard (at his age of 21) the trunk standing in his brother Francis' chamber aforesaid on which his name is written and also my green bed whereon I lie and also one of my silver pots or jugs used to be served in the cupboard—Money for him at Cambridge—to him my figured satin gown with the kirtle and also my colt at the great park in Windsor." W. S. Ellis in the *Genealogist*[3] quotes from the will: "And I desire my son Sir Francis Howard to give the said Charles those things on taking a degree at the university or at his full age of 21, and also brotherly or rather fatherly care." Ellis assumes that this would make Charles about sixteen in 1607. It is certain that he was knighted by 1613 and he could not have been knighted before 1611. Therefore he is probably the Charles Howard, Esq., who was returned for Bletchingley, July 16, 1610, in place of Richard Bellingham, deceased. Sir Charles Howard of Sheffield, Sussex, already held a seat in that parliament as knight of the shire for Sussex; the only Charles Howard available for a seat nor-

1. See the petition to the House of Commons in 1621 by "the right honorable Charles Lord Howard of Effingham." X (2: 171 n. 20).

2. *Surrey Arch. Coll.* 9: 429.

3. 5: 106–109.

mally at the disposal of the Effingham Howards was this Charles Howard of Merrow. In 1614 the Sir Charles Howard, junior, who was returned for Bletchingley must have been Sir Charles of Merrow.[1] The "junior" we may suppose was used to distinguish him from his cousin Sir Charles of Sheffield who sat in the 1614 parliament for Shoreham.

Although Sir Charles of Merrow was no novice in the Commons, he was not one of the House orators. Barrington[2] credits him with having uttered seven words; so far as we know they are the only words he has spoken in any parliament thus far. Howard did not find "long and tedious debatement" entertaining.[3] He served on the committees for the two bills for seamarks.[4] That is all we know about his parliamentary activities, for his notes tell us nothing about himself.

Howard's minutes have valuable contributions but they hardly rank in interest with the major diaries. They take a peculiar form of composition in parts. The first section of the notes consists of disparate sketches of a few outstanding incidents in the parliament before Easter. In one or two places the sketches look almost as if they had been intended as part of a news letter. Suggestions of this are to be found in the report of the King's speech[5] and in interpolations like "but first I should remember"[6] and "as you know."[7] Other portions of this first section appear in the form of rough notes. The diarist ignores the session of parliament that lasted from Easter to June. In his second section, which covers the November–December proceedings, he keeps a diary and attempts to follow the order of debate and events. The third

1. This is from the returns of the Duke of Manchester's list. For Windsor in 1614 the Manchester list has Sir Richard Lovelace and Thomas Woodward. Robert Tighe in *Annals of Windsor* (2 : 47) names Sir Charles Howard and Samuel Backhouse as the 1614 members for Windsor, as does Browne Willis. Tighe was using Windsor records and may have had some grounds for his statement.

2. Barr. (3 : 187).
3. Howard (6 : 289).
4. C.J. 529, 611.
5. Howard (6 : 281–282).
6. Howard (6 : 286).
7. Howard (6 : 302).

section contains a collection of precedents and orders of the House; most of them were gathered during the first session of the parliament. It is from this last section that we get definite information[1] of Alford's rebuke to Calvert who had told the King about the resolution to grant the subsidy.

The many curious mistakes of the copyist indicate that he had difficulty with the writing in the original notes. The copyist has sometimes inadvertently omitted words and phrases of the original.

Rawlinson B 151

IN our footnotes we have used "B" to refer to that part of Rawlinson B 151 which we have printed in the sixth volume of this work. Rawlinson B 151 is described in the Bodley catalogue as "the historical collections of Robert Horn (probably the puritan minister of that name) relating to the reigns of James I and Charles I and transcribed at Clunbury, Ludlow and Westhope in Shropshire in the years 1615–1626." A section of the collections deals with proceedings in parliament from 1610 to 1626. We have printed from that section only the part which concerns the parliament of 1621.

A cursory inspection readily discloses how B was composed. The compiler was provided with a number of separates. In addition he obtained notes of some of the principal proceedings in the House. The latter read like news of the parliament taken from someone's letters. Not only is the news accurate on the whole, but portions of it follow the words of speakers closely. It would be surprising if this news were furnished by anyone other than a member of the House. The compiler put the separates and the newsy items together to make a brief narration of doings in parliament. His first composition was finished by February, 1622, but thereafter

1. Howard (6:351–352); X (2:92 n. 2).

he must have received more material for during 1622 he made additions in the form of postscripts.

Commons Journal

THE Commons Journal is a small record when compared with the mass of diary material accumulated in these volumes. The advantages of that accumulation the reader will discover for himself. Any one of the diaries may have errors and omissions similar to those in the Journal, but seldom do all the diaries fail us at the same point. Between them they give us every aspect of the Commons' meetings, of committees in the afternoon and sometimes in the early morning, and the color of speeches. From them we could piece together a pretty complete account of the Commons. Yet with all these diaries we have been grateful again and again for needed details yielded by the jottings of the Clerk. Barrington may supply as many speeches over a short period, Holland and Belasyse may even contribute speeches left out by the Clerk, but in the long run that official put down more speeches than anyone else. He has long been the dependence of the historian and his usefulness has not ended.

The Journal as a record was less than a century old and as a record of speeches less than half a century old. During the reign of James I it had grown in scope and treatment of detail. That no doubt was the doing of the Clerk, John Wright, who put down more of what people said than did his predecessor Ralph Ewen. It is to be remembered that the Clerk had to set his own standard of reporting, that there was no criterion of full reporting. Again and again the House had shown its sense of the need of a better record. Suggestions were frequently made. But what general policy the committee for survey of the Clerk's book followed we cannot make out. Their suggestions, so far as we can recall, were about the form of bills and motions. In respect to speeches it seems

likely that the Clerk was establishing his own policy, and that with some experimentation. It would seem that the Clerk had little taste for the arresting and significant. His recording was to him a job and his interest was likely to lag. Private diaries on the other hand were kept by those who were interested in what they put down, by men who, some of them at least, were likely to catch the special word that counted, to see the relation of one speech to another and to record those sentences that gave away the feeling in the House.

It is a pity that there is no modern index of the Clerk's record. To be sure there is the stupendous and invaluable Varden and May index. Yet that is not an index of speeches. This want has meant that contributors to the *Dictionary of National Biography,* unwilling to page through the folio volumes of the Journal for utterances by the men in whom they were interested, have missed much of the records of those men. Sir Thomas Wentworth is not without his importance in the seventeenth century, and yet none of his biographers has ever been at pains to study through his speeches in the parliaments of the twenties and to analyze in consequence his particular outlook and his merits as a parliamentarian. The author of the article in the *Dictionary* on Sir Dudley Digges would have written differently had he been able to find in the index a key to the speeches of that worthy. The same thing might be said of many men. The Commons Journal for all its hundred and eighty years in print has been somewhat a buried source.

A buried source and a good one but with all its virtues not the record we could desire. We must remember the limitations upon a clerk in that time. There must have been hazards about note-taking in a public body. Circumstances must sometimes have defied the ingenuity of a clerk unfurnished with modern devices for coping with the flood of words. The entries in the Journal do more to indicate how the Clerk was striving to keep up than they do to illuminate the discussion at a given point. In many instances the account in the Journal

is a series of disjointed phrases and of elliptical statements rather than narrative in sentences.[1] It is as if the Clerk were writing for someone who knew what men had said and was making only such notes as might enable a man of memory to recall the events of the day. In truth, the Commons Journal has its greatest value in connection with the diaries we are now publishing. Those phrases and ellipses which so often thwart us by what they do not say, when placed alongside of other accounts have a way of becoming clear.

From the Clerk's abbreviation of everything we might almost assume that he was taking notes for himself alone. He is brief even where we should expect full details, in the recording of bills. One word, or two or three, will often serve for him to indicate a bill; and that scanty entry, if the reader had no other assistance or other readings of the bill, would mean little. Occasionally the Clerk puts down only the hardly

1. On February 16 he makes Crew say: "To have the pardon enlarged as fully as ever heretofore." But Pym (4:60–61) gives Crew's words in clear and concrete form: "That grace may come down not half way but even to us by the latitude of the pardon according to the largeness of his Majesty's bounty and the pattern of 5 Eliz. for *outre les mains* and intrusions and by those bills of grace which came from his Majesty the last parliament." In the same speech the Clerk reports Crew as saying: "To have *nullum tempus occurrit regi* limited." The words are explained by Nicholas' version of Crew's speech: "If that out of his Majesty's gracious disposition he would be pleased that the old rule of prerogative, *nullum tempus occurrit regi,* might be reduced or set down to a certain time within which his Majesty's officers should bring their suits, it would quicken and awaken the officers and make them look more carefully to their work; and those of his Majesty's subjects who have estates would be assured of their land which, as long as this clause continueth good in law, they cannot be, for a forfeiture of all that a good gentleman is worth may be made by one's ancestors, one hundred years and above before he was born, and yet that may out him out of his estate and all he hath." On February 8 the Clerk quotes Alford in this manner: "The great prejudice to them, for informing, upon not bringing in corn into the market." But Pym (4:31) has a clearer account of Alford's words: "That those which brought corn to the seaside to be transported when it is under price might not be subject to information for not bringing the same to the market." On February 26 the Clerk puts down in E. Sandys' speech: "*Bellum rusticorum* in Germany." But Pym (4:104) clarifies it with: "*Bellum rusticorum* in Germany proceeded from this, that the poor wanted work."

helpful notation "1 *lectio*" and no more, leaving the reader completely at a loss. Such bills can usually be identified from other diaries. The Clerk has more than once disregarded a bill completely.[1] He has another habit, that of mentioning a bill and even of telling something about it but of omitting to say what happened to it.

He is no better about debates. On the 17th of May he gives about six inches to the debate on the importation of corn, to which Barrington[2] devotes three pages. The Clerk leaves out four important speeches, those by Neale, Drake, Alford and Sackville; indeed his account omits some of the essential considerations of the discussion. That debate possibly no single diary could successfully reproduce.

The recording of speeches is not more satisfactory. The Clerk was covering the ground hurriedly, catching at sentences with phrases, slipping past reasoned arguments with words ambiguously tied together, leaving in his wake patches of void where the significant was called for.[3] Sometimes the Clerk is vague when it would take only a few words to be clear.[4] Furthermore when the Clerk enters a speech he is inclined to give the proposals made without the reasons offered for them and often without those shadings of phrase

1. On the 2nd of June the bill against secret offices is not mentioned in the Journal, but see Holland (6:186); Nicholas, 2:151. On May 4 the bills read at the end of the morning session are not entered in the Journal, but see Holland (6:137–138); Smyth (5:366); Pym (4:305). On the 12th of May the Commons met in the afternoon and Barrington (3:240–244) states that private bills were read with the Speaker sitting, and reports the debate at length. Cf. X (2:362); Smyth (5:374). There is no allusion in the Journal to an afternoon session.

2. 3:280–283.

3. On February 5 the Clerk leaves out of Phelips' speech his precious statement: "Precedents no ancienter than the age whereof we are yet a part." Pym (4:12).

4. On February 27 Phelips moved "that, in the mean time, some may be employed, by precedent, to search what the best course of proceeding." C.J. 530. This motion is clearer in X (2:146): "that some be appointed to search the Tower for records how far our power will extend to punish him." On March 2 when the Hall-Fuller case was discussed, the Clerk reports that Cranfield said: "That one of the courts have not done well. That the

that meant so much. Speeches of such different character by men of such varied mannerisms of speech and thought become in the hands of the Clerk a good deal the same. The Clerk was prone to pass over local allusions, those allusions that are dear to the heart of the inquirer about the English past.

The efforts of the Clerk to put matters into compressed form would occasionally lead the reader astray. In his narrative of the debate upon the bill against secret offices, he makes Fetherstone suggest[1] that "this may also extend to the Palatine of Durham and Chester," but from Nicholas[2] we learn that Grosvenor spoke for Cheshire and Fetherstone for Durham. A good many examples of this bunching of material, were there space, could be cited. The Clerk uses another device to squeeze too much into a little space. He will give the points of a man's speech and then say of the next speaker: "Sir Peter Fretchwell *accordant.*" But from other

plague in the business, which we will not come near. The question only is, whether Hall or Fuller have right." This would not mean much unless we read Belasyse (5 : 20); "The Lower House of parliament hath not authority to determine jurisdiction of courts; it belongs to the prerogative of kings. We may enquire and complain, as in the case of grievances, but reformation only can be by the king." On February 12 Sir Edwin Sandys made a long speech about privileges. He brought up the matter of Elizabethan precedents: "It is true the Queen took certain members out of this House, for what cause, for bringing in a bill to dissolve the third state of this kingdom (the Lords spiritual) without acquainting the Lords, and sent them to the Tower. Another gentleman set forth a question touching succession, which tended to a combustion; he was not reproved by the House; the Queen sent him to the Tower." X (2 : 60). But these pointed allusions to the question of free speech in the reign of Elizabeth are thus passed over in the Journal: "Queen Elizabeth a brain and courage of a man, a mother to her people, a terror to her enemies." On February 27 the Clerk makes Sir Francis Seymour say: "That he was the other day questioned by a member of this House for speaking what he did." X (2 : 146) is better: "I was questioned the last day for speaking my mind touching referees." For other illustrations cf. Crew's speech on February 26 in C.J. (527–528) and X (2 : 140); Sir George More's speech on February 12 in C.J. (517) and X (2 : 59). The Clerk gives hardly any notion of what More was attempting to say.

1. C.J. 597. 2. 1 : 353.

diaries we soon discover that Frecheville, while he agreed, was bringing out another reason for believing in the same policy.

An illustration of the Clerk's recording which reveals some of his faults is Alford's speech on the 4th of May when the House, having blundered into the Floyd judgment, was trying to find a way out of its embarrassment. The Clerk puts down the speech as follows:[1] "This House never so shaken in judgment as now. Our judgment generally known. That done by us, in one case, for the King's issue." Holland[2] makes rather a different speech of it: "To give a consent and sit down he cannot yield. What have we done; that which we cannot justify. And the Lords must do it and we can do nothing. Ireland we gave up for the King's glory, yet formerly it is apparent we have dealt with it." Barrington[3] is even fuller: "I never saw this house so shaken as it is. Let us look what we have done. I will speak if I never were to speak more. We shall be reported to be unadvised and that our judgment is not good and theirs good. For Ireland, we have infringed our liberty, giving it over to the King, being in us to deal in. Let us not be baffled upon every man, but seek how to repair ourselves." Nicholas[4] makes Alford say: "He will never consent that we should send this to the Lords, for that would be a scandal to our judgment; and that, if we sit down that the Lords may have it out of our hands, we are unworthy of being parliament men. He saith he must say thus much though he never speak more." It is a temptation to put the speech together from these various accounts, but that the reader can do for himself, discovering thereby how every account adds to the story and how little the Clerk gives either of the details of the speech or of the shadings of it.

For another instance of the Clerk's deficiencies take the bill against charges for poor relief, read the first time on April 30. The Clerk makes Edwin Sandys say merely:[5]

1. C.J. 608. 2. 6:135. 3. 3:164.
4. 2:20. 5. C.J. 596.

"To send away a great number of our poor people into Virginia." But Belasyse[1] reports the speech at length. It is a good speech and worth reproducing for its own sake as well as because it illustrates how much we should miss if we depended on the Clerk. "This bill is no stranger in this House. It never found good entertainment. It hath been many times cast out. The case is this, the country is overcharged with poor. The question is whether the country shall put them upon corporate towns or the towns upon the country. I hold for the country; for towns have trades to set the poor on work, therefore fitter to receive them. But this is like the turning of a sick man from one side of the bed to the other, the malady still remains. The cause of this, I suppose, is the monopolies whereby all having not liberty of trade, all the poor cannot be employed. But I hope in some measure it will be remedied this parliament. And in other countries more populous there be no beggars. I would move that the poor that cannot be set on work may be sent to Virginia. Never was there a fairer gate opened to a nation to disburden itself nor better means by reason of the abundance of people to advance such a plantation." The Clerk has been too brief, at least for the purposes of the historian.

He is not only brief, he fails to answer the questions we would ask. We should like to know, for example, who brings in bills. Now and then the Clerk will tell us. On April 30 Sir William Fleetwood delivered in the bill for the better securing of the subject from wrongful imprisonment and on May 14 Mr. Spencer delivered in the bill concerning the receiving of pensions. But in general the Clerk offers few clues as to the initiative in bills or as to the backing of them. Such information, interesting and important as it is to the historian, is given by few diarists save the excellent Smyth of Nibley. On May 7 a bill for enclosing commons was brought up for its second reading. According to Smyth[2] of Nibley it had been introduced by Clark and evidently its second reading

1. 5 : 113–114. 2. 5 : 277.

had been called for by Mallory. Finally, says the Journal,[1] "Mr. Mallory who called for reading the bill, excuseth himself. Glad of the voice of rejection." Here the Journal is telling us not who introduced the measure but an equally interesting thing, who called it up to be read. That fact about a measure the Clerk does report sometimes.[2]

There are other things he fails to tell us. Episodes connected with the Speaker, of which there were a good many, and the irritation of the House at the rulings of the Speaker were matters either minimized or ignored by the Clerk. The Clerk was probably on friendly terms with the Speaker and would record as little as possible of the discontent with that official.[3] Nor was he inclined to put down incidents connected with his own activities.[4] What he was even surer to leave out was any exciting passage in the House where there was tension or a sharp set-to between members. It is often true that when we learn from the private diaries what happened, the little phrases in the Commons Journal about such occurrences take on new meaning. But only then. During

1. C.J. 611.

2. Crew moved for the bill for hospitals on February 14; Sandys moved for the bill for monopolies on May 12. C.J. 521, 619. Other notices of this sort are in C.J.

3. On the afternoon of March 26 the Speaker, in a question of recognition of two members, suggested that the wiser sit down. This brought protest from Noy. Pym (4:196); X (2:266); Smyth (5:322). On the 5th of February Horsey was silenced by the Speaker. Pym (4:11). The Clerk pays no attention to either incident. On April 19 there was a message from the Lords about the bill against informers. C.J. 582. The Speaker proceeded to explain that the bill abridged the powers of Star Chamber and other courts. Barr. (3:20); X (2:300). The Clerk has nothing about the Speaker's statement.

4. On June 1 the Clerk started to take either the Journal itself or the book of orders to the Lords when Phelips objected. Barr. (3:381–382); Holland (6:184). The Clerk did not comment on this. On the 8th of March after Mallory's speech at the end of the morning, it was resolved by the House that referees should be named at the impeachment conference. Smyth (5:282); C.J., March 9, p. 546b. But this was not put down by the Clerk in the Journal although he read the order next day. Some of these lapses may be the result of a motion like that by Glanville on March 17. See Pym (4:168–169).

exciting scenes the rustle and undertone of the House and clamorous outbursts might in part frustrate the Clerk's efforts. But when the Journal has nothing to say about events that were causing comment even outside the House, we can hardly refrain from suspecting that the omissions were not entirely unintentional.[1] That Calvert was rebuked for carrying the King information about the subsidy was known to Locke[2] and probably to many others. Howard[3] and Wentworth[4] write of the incident but the Journal is silent. A reader of the Journal for May 29 and 30 would fail to catch the excitement in the House on those days. Indeed not till towards the end of November does the Journal convey an impression of the tension in the House. It is noticeable that the frank utterances of Sir Francis Seymour and of Alford were toned down by the Clerk. These two men were interested among other things in the privileges of the House, and it may be remarked that the Clerk went in for quiet tones when painting the picture of the debates on privileges.[5] It cannot be said that the Clerk was glaringly unfair. Men who were in no case courtiers and who were opponents of the government received their meed of space. Nevertheless it is noticeable that speeches against the government were likely to lose a little of their pungency and spice in the course of transmission to the Journal.[6]

As to the order in which speeches occurred, the Commons Journal is probably better than any other account save Nicholas and Barrington. Certainly in respect to order it is more

1. It might be that the committee to survey the Clerk's book did not always approve of the recording of these homely exchanges.

2. X (2:92 n. 2). 3. 6:351–352. 4. 5:467.

5. Crew's speech on February 5 as given in C.J. deals only with recusancy and does not mention the other subjects with which Crew dealt freely. X (2:23–24); Pym (4:16). Alford's speech on February 12 is practically omitted from C.J., but cf. Nicholas, 1:32. The whole allusion by Alford on February 5 to the undertakers and what happened in 1614 is left out of C.J. but is given in Pym (4:12–13).

6. Wrenham's and Calvert's speeches on May 30 are mild as reported in C.J., but cf. Barr. (3:350–351); Holland (6:178–179).

dependable than either X or Pym. But it is to be observed even about the Clerk's record that occasionally he made it up after the day's meeting and would now and then put a whole body of proceedings a little out of place. Such deviation is however unusual.

The Clerk is singularly impersonal as of course clerks should be. Stories and reminiscences introduced by members in their speeches are mentioned by him briefly if at all. Sir Edward Coke's tale of the man kneeling before the image of the virgin in church who suddenly found the virgin in answer to his prayers addressing him and who cried out to her, "Peace, peace, Madam, it is forbidden to a woman to speak in church," is a story that the Clerk would not allow us to enjoy. Many other stories, many racy figures and comments by the vivid Coke and others are left out or spoiled by the Clerk. Unlike the modern Englishman he was uninterested in idioms or even in figures of speech. In fact the Clerk was pretty successful in taking the flavor and character out of a good deal that went on in the Commons. The reader of his account would find the Commons a much duller place than it was in reality.

The Clerk not only left out what was important and what was interesting, he made mistakes. He will now and then put down a bill as in its first reading when it was in its second. Of course we must remember that 1 and 2 in the handwriting of the time were a bit alike and such errors may be the fault of editors. It is a fault from which the diarists of the Commons were not immune. But the Clerk will make other blunders. Sir Richard Grosvenor he will put down as Sir William Grosvenor.[1] He assigns a speech to Sir John Chamberlain[2] when there was no such person in the Commons and the person possibly meant was Sir Richard Cholmley. He is to be excused. To remember the name of every speaker and to recall his first name as well must have required not only knowledge

1. C.J. 553. 2. C.J. 605.

but a ready mind. In general the Clerk is to be praised that he made as few mistakes as he did.

The editing of the Journal, if allowance be made for the date when it was done, is fairly good. Whoever were the eighteenth century editors in charge of the volumes published by Samuel Richardson, they were experienced readers of seventeenth century hands and skilful in seeking aid in other places. Occasional blunders were made but they are surprisingly few. It is possible that the eighteenth century Clerk and his assistants were good scholars themselves and made copies for the printer. One well known scholar of the House of Commons has suggested that the Journals should be re-edited. That we believe in these times would be an effort unjustified by the expense. So many other projects now deserve consideration first. In our footnotes we have corrected some of the errors in the Journal.

There are in the Journal for 1621 a major gap and two minor gaps. The major gap extends from February 19 to 24 inclusive. During that time the Clerk was ill and his son was appointed to act in his place. It is a little surprising to us that the son's record was not put down in the Journals. The Journal was still so far from an official record that the difference between the record kept by the father and that by the son ought to have been of little importance. The week's account kept by the son may turn up somewhere among manuscripts, possibly in the Victoria Tower. There are many manuscript copies of the Journal, made before it was printed in 1751. Such copies exist in the British Museum and in other collections of manuscripts and are to be found now and then in the attics of booksellers. Those copies, so far as we have seen them, fail to include the missing week. The smaller gaps occur on the 15th of May and on the 10th and 11th of December where space is left in the manuscript Journal for insertions. The proceedings for November 22 to 24, for part of December 18 and for December 19 are as good as missing, for those pages in the original are mutilated. When

his Majesty "did further *manu sua propria* take the said protestation out of the journal book of the Clerk of the Commons House" he must have put feeling into the gesture.

The selection of a main account to serve as a narrative guide to the diaries and collections in these volumes, to Commons Journal and Nicholas, and to a mass of supplementary data was more or less dictated by the nature of the accounts. The three accounts most eligible as main accounts were X, Barrington and Pym. The Pym diary, admirable as it is, would have been hard to use as a basic narrative. Pym was too given to classifying argument without naming speakers, to leaving out material that would have served for skeleton. He liked to save his notes of committees or debates for a review of the whole topic somewhat later than it belonged chronologically. Barrington's notes, on the other hand, were in some respects nearly ideal as a pattern of narrative. He moved from speech to speech, bill to bill, event to event. His work is uninspired but it has continuity. It does not begin, however, until the afternoon of April 17. X was the only journal which could at the outset satisfy the requirements for a main account. It began with the opening of parliament and continued to the dissolution. In the main it followed the course of debate from day to day. The occasional jumble in the narrative, which we have traced to the compiler, was for the most part eliminated by transferring misplaced materials to their proper position and date, and by removing repetitious matter to the textual footnotes.

From necessity and because of its merits therefore, X is the main account from January 30 to the end of the morning of April 17. Beginning with the afternoon of that day and continuing on through November 27, Barrington supplies the main account. On November 28 X resumes as the main account and carries on to the end of the parliament. Seldom does the main account omit a day's proceedings but when it

does, the notes will direct the reader to that diary which will furnish the main account until the regular main account resumes. In those cases where the main account omits, not a day, but merely the debate on a bill, or a committee meeting, or gives one committee meeting but lacks reports of others in session at the same time, the notes will state where the portions missing from the main account are reported and annotated.

The basic account and its footnotes will, we hope, provide an accurate guide to the order of events for a day. The notes to that account will indicate the location of any speeches not given in the main account and will direct the reader to different interpretations or additional information elsewhere. Particular attention has been given of course to Commons Journal and Nicholas, to the speeches, arguments and details they contribute. In large measure the notes of the main account have been made the clearing house for supplementary information whether from within these volumes or from other printed or manuscript material. Through these notes we have tried to point out that considerable body of documentary material pertaining to questions with which parliament concerned itself. We have had it in mind too that many students who consult this work will be primarily interested in a single topic and will wish ready access from the main account to those subordinate accounts that bear upon that topic.

Among the supplementary material that appears in the footnotes, the Alford notes will often seem most curious. Sometimes Alford's scribblings on the back of breviates add nothing to the context and are almost incomprehensible. Yet we have in general included them because they help to establish the time when certain breviates were in circulation among the members of parliament. Now and then his rough jottings do clarify a beclouded phrase in the texts here printed; they may do the same for other diaries yet to be printed.

Although the footnotes do most to establish the order of speeches and of events, they have not been our sole depend-

ence. X and Belasyse are extensively rearranged as we have explained above in describing those particular accounts. We believe that we have restored them to something like the order they must have had in their original state before compilers and copyists took them in hand. Other diaries needed little rearrangement. Here and there a diarist might open his book at the wrong folio or with economy turn back to use a folio that he had formerly left blank, or he might make a few hasty notes on the blank first and last pages of his notebook. The Book of Orders has been arranged chronologically. Wherever such changes have been necessary, the folio numbers of the original manuscripts, retained in the printed text, will reveal the transference.

The spelling of the original manuscript has been retained, except in the case of X. Out of the several manuscript copies of X we at first selected the Harleian MS. (now referred to in our notes to X as MS. 2) as the basic text for the printed version. But as we worked with it we came to the conclusion that Petyt 537: 10 was preferable as the basic text. We switched to the Petyt MS. and in doing so modernized the spelling. Retention of the spelling in any of these diaries is of doubtful value. But in X, which has passed through the hands of numerous copyists, the spelling must have been well beyond the influence of that in its original sources. Pym exists in three versions and we considered the possibility of spelling it the modern way; but the spelling in all the versions had enough in common to constitute some slight clue, therefore we retained the spelling of the Winchilsea version. In modernizing spelling in X we have been careful not to alter the grammar or phraseology of the manuscript.

As for punctuation we decided, not without some experiment, to tamper with it as little as possible. We were sometimes moved to improve a diarist's sentence with a comma or so, only to discover that he had written better than we knew. Statements seemingly incongruous turned out to be what the speaker had said and meant. Absurdities which a touch of

punctuation would have rendered into neat common sense justified themselves as absurdities. The tidying of paragraphs by rule of the pedant would have purified some of the diaries at the expense of their natural journalistic flavor. We would not hush the voice of the speaker which even now lingers in the hasty notes of diarists. We tried therefore to leave the punctuation much as we found it; but in truth we sometimes found very little.

In the main it was less perplexing to furnish editorial assistance of this kind to original diaries than to the work of a copyist. Copyists not only lacked numerous accounts for purposes of comparison but they laboriously transcribed words rather than the sense of what was before them. Pym's diary, although the work of a copyist, is well done. No doubt Pym's systematic notes and his numbering of points were stern directions. But X, Belasyse and Howard contained some extraordinary malformations. Sometimes the last part of a sentence or of a clause was cut off and attached to the beginning of the succeeding sentence or clause. For instance on May 18 Sir John Davies made the following statements about Ireland: that it was inhibited in trading to France and Spain; that Ireland ought to have a mint or, failing that, ought to have Spanish coin current; that the Low Countries enjoyed a thriving trade in sale of horses in London, and Ireland ought to be treated with equal consideration. Observe what the copyist of X did with this. The X manuscript read: "They are inhibited in France and Spain that there might be a mint there; a proclamation that Spanish money be lawful coin into the Low Countries. There is much money and more spent for mares and horses here about the city." We can believe that errors in X multiplied as copyists repeated those committed by their predecessors and added a few of their own. The copyist of the Belasyse diary made little effort to sort his disarranged material; he made sentences and occasionally paragraphs out of scraps that did not belong together. But he did not do that often. The Bela-

syse copyist had batches of material out of place but seems to have made an honest effort to refrain from meddling with the context. The copyist of Howard made blunders many of which are so plain that they needed no comment by us.

Documents that are important to the understanding of the parliamentary debates we have made available in the appendices. Appendix A contains most of the public bills and a few private bills. They are printed in such manner that they show the alterations made by committees. Breviates of arguments for or against bills and some petitions have also been printed there.

Appendix B has two sections. The first part gives a calendar of the documentary history of most of the grants investigated as grievances in the 1621 parliament. Patentees, projectors, referees, fees and such items are often the subject of discussion and of disagreement in the debates recorded in the diaries. We had to compile this data for our own use in order to rectify discrepancies and to clear up uncertainties, and we now offer this material to the reader as a key to the particulars and general nature of the respective grants. Furthermore in preparing the schedules of the grants we had an eye to the future, to the 1624 parliament and later parliaments when many of these grievances will reappear. The second part of Appendix B consists mostly of petitions and breviates of arguments relating to grants. Copies of many of these documents were distributed to members, usually at committees and usually by the parties whose cause a document was intended to further.

Appendix C comprises letters, drafts of speeches, petitions and such documents as do not fall within the classifications in Appendices A and B. At the end of Appendix C we have printed the interesting Calthorpe diary for the 1614 parliament. Those notes include proceedings for June 6 and 7 which are not given in Commons Journal. Portions of the Calthorpe diary have proved useful in connection with the discussions in the 1621 parliament.

Preceding the index is a list of statutes, law cases, parliamentary cases and incidents, petitions and other such precedents as have been cited in the diaries. Diarists seemed to encounter difficulty and frequently disagreed in giving the dates of precedents. The copyists of the several manuscripts of X were sometimes completely at variance on dates and details of statutes and precedents. The copyists of the Pym diary were afflicted likewise and might not even agree with the X manuscripts. A date citation often came at the beginning or end of a sentence and was easily shunted by the scribe to the preceding or following sentence. In order to select the proper reading for the texts of X and Pym and to settle differences between other diaries we checked the precedents and indexed them in a special table. In most cases we have been able to trace what the speaker seems to have used as a source for the precedent he cites but our notes identifying precedents in no way signify that we subscribe to the validity of the precedent or to the interpretation in the diaries.

We have adopted for the index the method that satisfied the requirements of many problems. Much of the material is fundamentally similar yet varied in detail and presentation. Chronology was important in some items and of no consequence in others. Standard rules would not always apply and no one rule was adaptable to all entries. Adjustments had to be made for peculiar situations. If we had arranged the page references to entries in strictly numerical order, the appearance of the index would have been improved; but the reader would have had to endure the strain of sorting out the pages that fit together.

This work contains fourteen parliamentary accounts, a book of orders and a volume of documents. It has no orderly continuity in the usual sense of the word. One volume does not carry on where the preceding volume leaves off; volumes five and six, where the shorter accounts are gathered, lack even the unity of the long diaries. We are not dealing with

fourteen distinct works but with fourteen interdependent accounts of parliament. Continuity here is achieved only by treating all of the accounts for one day, for one debate, for one committee or for one speech, as a unit. It has been necessary to index all the accounts for each day simultaneously. Thus it happens that page references which are out of order numerically are chronologically in order.

On some dates any one speech might have been reported in nine different accounts. That speech might also be recalled in later debates and might be mentioned in some document in the appendix. An important speech is certain to be recorded by more than one diarist. The same event, identical in time and circumstance, is usually described by several of the diarists. Mention of a person or place will ordinarily be noted by at least two of the writers. Any one item in the index therefore may have several page references which together constitute a composite single reference to that item.

So far as possible we have tried to distribute the composite references by extensive use of subheadings. Even so, in a work of this size, many entries must carry a number of composite references. In such cases the string of page references for an entry has been marked off by the sign (*) to distinguish one group comprising a composite reference from the next group comprising another composite reference. Interspersed isolated references will occur of course. The first time an item appears it may be mentioned by five diarists; the next time perhaps only one diary will have it. Where by chance a series of isolated references from the same volume turns up, no sign has been used to separate the individual references of that series. In a group of page references comprising a composite reference ordinarily the main account is cited first. But where special circumstances make it necessary, the clearest page reference is cited first.

An entry for a speech shows the date of its delivery and the page references to the diaries that report it. But if a speech once made is also mentioned later in the debates, the

sign (*) will separate the page references to the original reports of the speech from the page references to the later comments on it. Speakers have been carefully identified in the main account; in subordinate accounts, particularly in Pym and Wentworth, the names of speakers are sometimes omitted and their remarks are dispersed.

Sometimes a person is named in one or two accounts while only the action or event associated with him is described by other diaries. In such instances the complete set of references is entered as if the person had been named in all the accounts. Thus it may happen that one page citation is really a key reference to the others within a composite reference. Out of the vagaries of diarists arise cases where all the references within the composite group must be consulted in order to understand the relation of some of them to the heading under which they appear.

We are aware that there are those who prefer a selective index in which all trifling references are weeded out. Others will wish to satisfy themselves as to what is and what is not in a work. The latter class we have served more faithfully than the former. Yet our subheadings should diminish considerably the toil of investigating battalions of page citations.

Precedent List

PRECEDENT LIST

STATUTES

[The sign (★) is explained in the foreword to the index, p. 135.]

[Laws of Alfred] . . . . . 4:136; 5:281; 6:39 ★ 2:197; 6:44, 309 ★ 2:211; 5:36
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Ordinarily the main account stands first in a group of references.

Sometimes a person is named in one or two accounts while only the action or event relating to him is described by other accounts. In such instances the complete set of references is entered as if the person had been named by all the accounts. Cases arise where all the references within a particular group must be used in order to understand the relation of some of them to the heading under which they appear.

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